Case No.

In re. Investigation of election irregularities affecting Congressional District 9

Exhibit

2.2.2.1

Description: 2016 general election investigative reports on activity in Bladen County referred to prosecutors by the State Board of Elections: Summary Memorandum (pp. 1-8); Bladen County Improvement Association PAC (Case 2016-142, pp. 12-50); Patriots for Progress IE PAC (Case 2016-141, pp. 52-174); 2016 General Election Protests (Case 2016-166, pp. 176-278).



1 Of 2:78 dress: P.O. Box 27255 Raleigh, NC 27611-7255

Phone: (919) 814-0700 Fax: (919) 715-0135

01/23/2018

Re:

Case Number: 2016-141 Patriots for Progress IE PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election;

Case Number: 2016-142

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election;

Case Number: 2016 - 166

November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome - 11/08/2016

General Election;

The above cited cases are related investigations originating in Bladen County, North Carolina opened by the North Carolina State Board of Elections (NCSBE) in November of 2016. [The State Board has since merged with the North Carolina Ethics Commission and is now known as the State Board of Elections and Ethics Enforcement.] To date, the Investigations Division of the NCSBE has conducted numerous interviews of persons involved, including voters, and has reviewed documents associated with the alleged violations. Because the 2016 General Election was a Federal Election, and because of the seriousness of the alleged conduct associated with possible manipulation or attempts to manipulate election results in Bladen County and elsewhere, these matters merit referral for prosecutorial review and possible criminal prosecution. Additionally, in as much as there are possible federal violations of law, a decision was made by the State Board on December 3, 2016, to refer these matters to the United States Attorney's Office for review. To assist federal and state prosecutors in assessing the need for additional investigation or any other action deemed appropriate, below is a summary of each investigation:

PATRIOTS FOR PROGRESS IE PAC:

In October and November of 2016, the Bladen County Board of Elections (BOE) received three separate complaints from voters, which alleged possible fraud involving the handling of absentee ballots in Bladen County. Those complaints are hereafter described as the "Linda Baldwin complaint", the "Brenda Register complaint", and the "Heather Register complaint." [Note: Brenda and Heather Register are not related, nor is their complaint related.] Those complaints were ultimately referred to the NCSBE Investigations Division.

The NCSBE investigation of the above complaints began with interviews of the above complainants. The interviews led to information strongly suggesting that Leslie McCrae Dowless, Jr. (aka "McCrae Dowless"), who is associated with the Patriots for Progress IE PAC, and who is the recently elected candidate for Soil and Water Conservation District Supervisor in Bladen County, was paying certain individuals to solicit absentee request forms and to collect absentee ballots from Bladen County voters. In doing so, workers employed by Dowless were required to hand-carry the ballots to Dowless in

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order to be paid. Dowless allegedly instructed his workers to "push" votes for certain candidates while meeting with voters. [Possession of an absentee ballot for delivery to a voter or for return to a county board of elections by anyone other than the voter, the voter's near relative, or the voter's verifiable legal guardian is a Class I Felony under NCGS 163-226.3(a)(6).]

The individuals who approached Linda Baldwin, Brenda Register, and Heather Register, were identified through interviews and document review as Caitlyn Croom and Matthew Matthis. The investigation has developed information suggesting that Dowless attempted to obstruct the ensuing NCSBE investigation into the voter's complaints by warning Matthis and Croom that investigators were attempting to locate them in association with Baldwin's complaint, and coaching them as to what they should say if contacted. Dowless is suspected of having made a telephone call to warn Matthis and Croom of the State Board investigation after Dowless was contacted by State Board investigators on October 24, 2016.

In an interview on November 16, 2016, Matthis and Croom initially attempted to conceal the true nature of their work for Dowless. After being confronted, they stated that they knew that State Board investigators had contacted Dowless, because he called to warn them. They advised that when they were hired; Dowless told them that he would only pay ½ of what they earned when they brought the absentee ballot request forms to him, and would not pay the remainder until after they collected and provided Dowless with the voter's ballots as proof that the person had voted. Dowless instructed them to avoid areas where mostly minority voters resided and he provided a sample ballot with marks indicating candidates he wanted them to promote. Much of the information obtained from Matthis and Croom has been corroborated through documents and interviews of others.

The Baldwin complaint, dated October 4, 2016, described a situation where a male individual initially identified by Baldwin as "Josh" appeared at Baldwin's residence on September 24, 2016, to encourage her, her two adult sons, and her daughter to fill out an absentee ballot request form. [Baldwin's daughter was not registered in NC and ultimately no ABS ballot was issued to her.] "Josh" told Baldwin that he was being paid to collect absentee request forms and that he would be paid \$120.00 each time he collected 14 or 15 request forms. "Josh" informed Baldwin that when the ballots arrived by mail at her house, and she completed them, he would return to pick them up to take and show his "boss" so that he could get paid. Baldwin agreed to do so, but insisted that "Josh" return the ballots to her so she could mail them in herself. She also recalled that "Josh" pointed to a specific candidate on the ballot that he wanted her to vote for. When "Josh" failed to return with her ballots as quickly as she expected, she contacted the Bladen County BOE to ask that any ballots received with her or her sons' names be invalidated. She followed up with a written complaint to the BOE, dated October 4, 2016. [Baldwin later identified "Josh" as Matthew Matthis. Baldwin, who is a former educator, used the name "Josh" in her complaint to protect Matthis who she knew of as a student from her school.]

The Brenda Register complaint alleged that on October 17, 2016, a "young, Caucasian lady" appeared at her residence and tried to convince her to request an absentee ballot. She stated that the "young lady" represented herself as being employed by the "Bladen County Board of Elections." Brenda Register declined to request an absentee ballot and she made a verbal and written complaint, dated October 20, 2016, to the Bladen County BOE. [Register was later purportedly able to identify the "young lady" as Caitlyn Croom from a Facebook posting.]

On October 24, 2016, NCSBE Investigator Marshall Tutor received a call from Horace Munn, President of the Bladen County Improvement Association PAC, during which Munn informed Tutor of the above two complaints received by the Bladen County BOE. Munn expressed concern that the complaints were not being addressed in a timely fashion by the county BOE. He requested that the NCSBE conduct its own investigation. Contact by Investigator Tutor with Cynthia Shaw, Director, Bladen County BOE on October 24, 2016, resulted in information that the ballot request forms associated with the Baldwins had the initials "CC" handwritten in the top right corner. Shaw advised that "CC"

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corresponded with the initials of one Caitlyn Croom, who was purportedly working for McRae Dowless, candidate for Soil and Water Conservation District Supervisor and who also served as the President of Patriots for Progress until March 21, 2016. On October 24, 2016, a telephone call was placed to McCrae Dowless by NCSBE Investigator Marshall Tutor and Chief Investigator Joan Fleming. Dowless advised that he did not know any "Josh." He admitted that Caitlyn Croom had worked for him in the past but did not work for him at the time of the call. He stated he would need to look for a contact number for Croom and would get back to the investigators. Over the next two days, Dowless contacted Investigator Tutor twice to advise he was still looking for Croom's number, which he never furnished. In a subsequent interview of Croom and Matthis, on November 16, 2016, they advised that after Dowless received the above referenced call from NCSBE investigators, Dowless called them on their cellphone, which they share (telephone number to warm them that there was an investigation and coached them as to what they should say if contacted by investigators with the State Board. (Dowless allegedly called Croom and Matthis from his cellphone number

The Heather Register complaint was received via an email from Heather Register to the Bladen County BOE on November 9, 2016. [It was later followed by a formal affidavit from Ms. Register, dated November 18, 2016.] In her email, Heather Register described circumstances in which Caitlyn Croom and her boyfriend, Matthew Matthis appeared at the Register residence on September 22, 2016, to encourage Heather and Timothy Register (husband and wife) to request absentee ballots. Croom and Matthis were known to the Registers because Croom had previously dated their son, Michael Register. Croom and Matthis informed the Registers that they were being paid to secure a certain number of absentee request forms from voters. Croom and Matthis did not disclose the identity of the payer to the Registers. The Registers never received or voted their ballots. When Heather Register attempted to vote in person on Election Day, she was informed that she had "already voted." In an interview on November 16, 2016, Matthis and Croom admitted that they obtained the ballots of the Registers and their son and delivered them to Dowless, along with other ballots, to get paid. They stated that they signed Heather and Timothy Register's ballots but did not mark a vote in any of the contests (which has been verified by the investigation), under the belief that the Registers could still vote if their absentee ballots were blank. They stated their motivation for doing so was to include those ballots with others that they delivered to Dowless so that he would pay them per their agreement. According to Croom and Matthis, they completed Michael Register's request form and ballot with his consent over the telephone. [Falsely signing an absentee ballot is a violation of NCGS 163-275(4).

Matthis and Croom identified other individuals who they believe were also being paid to bring ballots to Dowless. Additionally, a review of absentee ballot request forms revealed other requests where a similar system of initials at the top of the forms may be associated with individuals working for Dowless. Voters associated with request forms assisted by Croom and Matthis, as well as voters associated with other "assisters" possibly employed by Dowless have also been identified for future interviews as needed.

BLADEN COUNTY IMPROVEMENT ASSOCIATION PAC:

During routine processing of mail-in absentee ballots at the Bladen County Board of Elections (BOE) in late October 2016, Brian Hehl, a Bladen County BOE board member, noticed that several of the ballots contained write-in votes for the non-partisan office of Soil and Water Conservation District Supervisor wherein the handwriting for a write-in candidate on multiple ballots appeared similar. Upon closer examination, Mr. Hehl noticed patterns of similar handwriting on the ballot container envelopes associated with the witnesses for those ballots, suggesting that the write-in votes, which were for candidate Franklin Graham, were possibly written by the same four or five witnesses, rather than the voters. Mr. Hehl thereafter relayed his concerns of possible tampering, fraud, or intimidation of voters whose absentee ballots contained the suspicious handwriting, to the Bladen County BOE Director, the other Bladen County BOE board members, and the North Carolina State Board of Elections (NCSBE).

The NCSBE Investigations Division thereafter opened an investigation into the circumstances of the ballot drive and the authenticity of the ballots.

Applicable Election Law Statutes:

North Carolina election statutes specify procedures for voting and transmitting absentee ballots [NCGS 163-231], as well as who, and under what circumstances a person can assist a voter by marking their absentee ballot [NCGS 163-226.3].

NCGS 163-226.3 "certain acts declared felonies" states (in part) it is a Class I felony "for any person except the voter's near relative or the voter's verifiable legal guardian to assist the voter to vote an absentee ballot when the voter is voting an absentee ballot other than under the procedure described in G.S. 163-227.2; provided that if there is not a near relative or legal guardian available to assist the voter, the voter may request some other person to give assistance."

The absentee ballot container-return envelope contains a space under the voter's certification signature line that is specifically designated for an individual who provides voter assistance to sign, thereby certifying that they assisted the voter in marking their ballot [NCGS 163-229(b)(4)].

The "Certification of Person Assisting Voter" on the "Absentee Application and Certificate" reads as follows:

"I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification."

The absentee ballot container-return envelope also contains a space specifically designated for two qualified witnesses to sign certifying that the voter marked or caused the ballot to be marked "in his/her presence according to his/her instruction, and signed the absentee application and certificate" [NCGS 163-229(3)].

The "Witnesses' Certification" on the "Absentee Application and Certificate" reads as follows:

"I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her instruction, and signed this absentee application and certificate."

The rules and standards for counting official ballots are set forth in NCGS 163-182.1.

State Board Investigation of the BCIA write-in campaign:

There were approximately 234 write-in mail-in ABS ballots received by the Bladen County BOE for Franklin Graham at the time the irregularity was reported to the State Board. The Bladen County BOE advised that the witness names on the ballots were individuals believed to be associated with voter drive efforts for the Bladen County Improvement Association PAC (BCIA). The witness names appearing with the most frequency on the absentee ballot container-return envelopes were: Deborah Monroe, Lola Wooten, Barbara Cogdell, Mary Johnson, Bridgette Keaton, Keana Keaton, and Arthur Owens.

An examination of the absentee ballot container-return envelopes and the corresponding ballots confirmed a notable pattern of similarities in the handwriting on the ballots for write-in candidate Franklin Graham compared to the handwriting of witnesses whose printing appeared in the witness section on the ballot container-return envelopes. However, the investigation determined that no complaints were received at the Bladen County BOE or the NCSBE from any voters assisted by workers believed to be associated with the BCIA. As stated above, the investigation of the questioned

ballots was initiated based upon possible irregularities observed by a Bladen County BOE board member.

Workers associated with the BCIA who were located and interviewed by State Board investigators admitted that they printed the name of write-in candidate Franklin Graham on the ballots for voters they were assisting as witnesses. None of the witnesses who assisted with the write-in votes were found to have signed the above referenced assistance certification on the ballot container envelope. The witnesses cited reasons such as advanced age, poor handwriting, poor spelling, voter convenience, as explanations as to why they wrote the candidate's name on the ballot for the voter. The witnesses indicated that they assisted with the voter's consent and wrote the write-in candidate's name per the wishes of the voter. One of the witnesses stressed that in doing so they did not "fill in the bubble" next to the write-in candidate's name, leaving that for the voter to do. Another witness stated that they understood the assistance certification to be used for assistance to voters who were incapacitated, and were unable to mark their entire ballot. None of the witnesses who were interviewed appeared to have an understanding that by writing the write-in candidate's name on the voter's ballot, they were "assisting" the voter in marking their ballot, and therefore were required to sign the assistance certification on the ballot container-return envelope. Additional interviews of ballot witnesses were suspended based upon notification by one of the ballot witnesses to State Board investigators that the BCIA had engaged Attorney Irving Joyner to represent the organizations and its' workers. A telephone call made to Attorney Joyner confirmed that representation.

Six voters who were assisted by the above witnesses were located and interviewed. No evidence was found to indicate the voters were coerced or intimidated by the witnesses into allowing the witness to assist with their write-in vote. The voters who were interviewed identified the signature on the "Voter's Certification" as their own signature, and comparisons to known signatures on previous voting documents appeared identical. Some of the voters stated they knew the witnesses and trusted them to "help" them vote their candidate choices by making suggestions and by promoting certain candidates. One voter stated she did not know who Franklin Graham was, but nevertheless was satisfied with the recommendation of Graham by the witnesses. Some of the voters stated they were unsure as to who filled in the circle next to Graham's name. Those same voters indicated that regardless, they (the voter) controlled the decision as to their choices and voted and signed their own ballot. None of the voters indicated that anyone marked the other contests on their ballot. Two of the voters denied that the witnesses were ever present with them when they voted. They had no logical explanation as to how the witnesses were able to sign their ballots and, overall, their statements concerning the circumstances of their vote were of questionable credibility. Additional interviews were attempted prior to the State Board hearing on December 3, 2016 with negative results. Business cards left at various residences by investigators did not generate a response from those individuals.

State Board Hearing re BCIA:

On December 3, 2016, the State Board of Elections convened for a probable cause hearing associated with an election protest submitted to the Bladen County BOE by candidate Leslie McCrae Dowless, Jr., who ran and won his contest in the November 8, 2016 General Election for Soil and Water District Supervisor in Bladen County. At the outset of the hearing, the State Board moved that probable cause was already established and the board unanimously agreed to a full hearing of the facts. The substance of the protest was that evidence existed to suggest the possibility of fraud associated with a large number of mail-in absentee ballots submitted to the Bladen County BOE in the November 8, 2016 General Election. Specifically, the protest alleged that persons working as paid volunteers for the BCIA on a "get-out-the-vote" ("GOTV") absentee ballot voter drive effort, and who served as witnesses to several ballots, possibly voted the ballots for the voter and/or failed to properly certify assistance given to the voter in marking their ballots. The protest concluded that the affected ballots were irreparably "flawed" and should be entirely discounted in that the voter's intent could not be determined.

Attorneys representing the opposition to the protest acknowledged the possibility that improper

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assistance may have been provided, in that the assisters failed to sign the assistance certification, but argued that if that was required, the failure to do so did not necessarily show illegal intent and, in any case, would not be sufficient reason to discount the voter's intent as reflected in their ballot under NCGS 163-182.1.

After considering the legal arguments from attorneys representing both sides, as well as witness testimony, the State Board voted to dismiss the Dowless protest under 163-182.10(d)(2)(c). In doing so, the board found that while improper assistance may have been provided by the individuals who wrote the write-in candidate's name on the ballot without signing the assistance certification, there was insufficient evidence to disqualify the affected ballots under 163-182.1(2). Because of the irregularities exposed in Bladen County, and because the 2016 General Election also involved a federal election, the State Board voted to make information concerning the November 8, 2016 General Election in Bladen County available to the United States Attorney's Office, EDNC, for review.

NOVEMBER 2016 GENERAL ELECTION PROTESTS:

After the November 8, 2016 General Election, preliminary results were showing that Gubernatorial candidate Roy Cooper had a slim margin of votes over candidate Patrick McCrory and that Cooper had possibly won the election. Within days of the election, McCrae Dowless filed an election protest, as referenced above, in Bladen County, which questioned the validity of write-in votes for opposing Soil and Water candidate Franklin Graham. Dowless did so although he had won his contest by a wide margin.

Dowless appeared before the NCSBE Board on December 3, 2016, regarding his protest, which was remanded to the State Board. Dowless, who was under oath when he made his appearance, admitted that he did not author the protest and that he had no personal knowledge of many of the facts presented in his protest. He identified the person who prepared the protest as attorney "Steve Roberts." His protest accused the Bladen County Improvement Association (BCIA) of conducting a "massive scheme to run an absentee ballot mill involving hundreds of ballots, perpetrated by and through the Bladen County Improvement Association PAC", and it sought to have those ballots disqualified. Dowless' protest went on to state:

"These are not simply helpful individuals who have attempted to assist a large swath of Bladen County's voters to cast their ballots. This is the shocking evidence resulting from a blatant scheme to try to impact the voting results of an entire county. This is clear from the fact that only a very few of the voter assistance sections of these mailed-in absentee ballots have been completed, despite being completed by just a few individuals."

Dowless stated under oath that although he was the winner of the Soil and Water race, he felt compelled to submit his protest because he became aware that there were a "high volume of write-in votes" which he believed merited an investigation. Dowless stated that on or about November 10, 2016, he had a conversation about the "volume of write-in ballots" with Bladen County Republican Party Chairman Landon Bordeaux, who asked Dowless if he would be willing to submit a protest to the Bladen County BOE. According to Dowless, Bordeaux told Dowless, "I'm going to make a call, and somebody will be giving you a call." Dowless was thereafter put in contact with Attorney Steve Roberts of Holtzman, Vogel, Josefiak, Torchinsky PLLC.

Examination of Dowless' protest document and attachments showed an extremely curious attachment, which was the affidavit that Heather Register submitted to the Bladen County BOE on November 18. 2016. In it, Heather Register described how Croom and Matthis had solicited her and her husband to vote absentee, and that Croom and Matthis told the Registers they were being paid by someone to do so. Heather Register stated she and her husband never received their ballots and she was told she had already voted when she tried to vote on Election Day. Since Croom and Matthis clearly

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worked for Dowless, it made no sense that Dowless would attach the Register complaint to his protest. The effect was that the protest was falsely attributing the circumstances of the Register incident to persons associated with the BCIA. Attorney Roger Knight, who represented Dowless, referenced the details of the Heather Register complaint in making an argument before the State Board that the ballots of approximately 400 Bladen county voters should be discounted because the true intent of the voter was impossible to discern. In his opening remarks at the State Board hearing (see transcript), Knight referenced the Register complaint as further evidence of the "scheme or plan" associated with GOTV (get-out-the-vote) efforts by the BCIA. Knight further referenced the Linda Baldwin complaint as another example, stating: "there is another affidavit from a Ms. Baldwin that's amended to or attached to the Register complaint, and which we would like to incorporate by reference, which states that individuals came to her door, asked her to fill out a request for an absentee ballot, and saying that if she would do so, they would – they, meaning the people that came to the door, would be paid. ...And I also note – and in the Heather Register affidavit, Ms. Register in her affidavit says that the absentee ballots that she requested never came to her, and that when she went on Election Day to vote, she was told that she had already voted by absentee ballot and so had her family members, which she denies doing."

Throughout the above statement, Dowless was present and could hear the evidence that his attorney was presenting to the State Board on his behalf. Nothing was said by Dowless to his attorney or the State Board to correct the description that was inaccurately attributing the Baldwin and Register illegal conduct to the BCIA when Dowless knew full well that the Baldwin and Register complaints described actions of Matthis and Croom, persons who were working for Dowless.

In his testimony before the NCSBE Board on December 3, 2016, Dowless denied requiring his campaign workers to accumulate any quota of request forms and specifically denied requiring his workers to bring any absentee ballots to him, stating, "No ballots come (sic) to me." Dowless first denied that he ever spoke with Croom after he was contacted by NCSBE investigators, and then changed his testimony to state that he did speak with Croom and she told him that "Ms. Fleming had called her." [Investigator Fleming had no telephone number to call Croom or any contact with Croom at the time that Dowless was first contacted by NCSBE investigators, October 24, 2016. No contact with Croom was established until 11/16/2016 when Croom and Matthis were interviewed for the first time.] When asked if he knew Matthew Matthis, Dowless responded, "I know of him, yes sir." The investigation has established that Croom and Matthis reside together, and share a cellphone and a vehicle, facts that Dowless was likely aware of based upon the circumstances of his contact with them.

On December 3, 2016, the State Board voted to dismiss Dowless' protest (see description of BCIA investigation) for reasons unrelated to any potential perjury by Dowless.

Dowless has a previous state felony conviction for insurance fraud and perjury in Bladen County, NC, along with numerous misdemeanor worthless check and traffic violations. [Under NCGS 163-275(4) it is a felony violation for any person to swear falsely with regard to any matter pertaining to any primary or election.]

Investigation has determined that during the same time period that the Dowless protest was submitted, Steve Roberts and other attorneys and/or associates from Holtzman, Vogel, Josefiak, Torchinsky PLLC contacted and recruited additional registered North Carolina voters from numerous counties in North Carolina for the purpose of asking them to sign protests alleging voter fraud and/or alleging knowledge of the operation of suspected absentee ballot mills. Evidence and interviews conducted to date, show a pattern of the voters solicited as "protestors" being provided with preprinted protest forms containing the names of voters who allegedly had committed voter fraud as double voters or as convicted felons who had voted, as well as other accusations. The protest forms followed a standardized format of twelve questions to be answered by the protestor, including asking about the nature of the evidence, the persons knowledgeable about the evidence, and the factual basis for believing that the allegations were "sufficient to cast doubt upon the results of the election." The

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information contained in these protests was presented as if it represented facts known to the person who had signed the protest. In reality, the signers had not conducted their own research regarding the voters, did not know how the facts were established or how voter's names were chosen, and had no documentation or evidence to back up their claims of voter fraud. Rather the protestors appear to have been used as a "proxy" to allege violations based upon evidence of unknown origin, most of which was never presented at the hearings.

Interviews have determined that protestors selected by the attorneys were promised that they would be provided with evidence to present at the protest hearing at their local county BOE, and were led to believe that the attorneys would assist them and/or be physically present at the hearing(s). The protest forms were typically electronically transmitted from the law firm in Virginia, to the selected protestors in North Carolina via email-and/or facsimile. The protestors were asked to sign and electronically transmit their signed protest forms back to the law firm. The law firm would thereafter transmit the protest forms from the law firm in Virginia to the appropriate North Carolina county board of elections on behalf of the protestor which gave the appearance that they represented the protestor. It is noted, that in Dowless' testimony before the State Board, attorneys representing the McCrory campaign claimed that they also represented Dowless.] Interviews of protestors have revealed that they were not furnished with the evidence they were promised and that despite their efforts to obtain the evidence needed to support their protest, the attorneys failed to respond to their requests and did not appear at the hearings. The county BOEs were nevertheless required to hold hearings and to send notices to the affected voters to appear.

The effort to have numerous ballots disqualified through the above described protests was abruptly abandoned by the attorneys in late November 2016. The accusations of voter fraud against the affected voters were covered in public media reports. Interviews of the voters have established that they felt harmed by the false accusations of voter fraud and were concerned about damage to their reputation in the community. As a result, a civil suit has been filed by some of the victims.

Summary

The facts developed in the above interrelated investigations demonstrate efforts to impact the process by which ballots in a federal and state election were obtained, cast, and counted. Therefore, the results of the investigation to date are being presented for review by appropriate prosecutors. Please contact NCSBE Chief Investigator Joan M. Fleming with any questions or for additional information at 919-814-0750 or joan.fleming@ncsbe.gov.

Office of the Thirteenth Prosecutorial District of North Carolina of 278

District Attorney

Proudly serving the citizens of three great counties

Bladen 910-872-7300 PO Box 2619 Iizabethtown, NC 28337

Brunswick 910-253-3910 310 Government Center Drive, Unit 2 Bolivia, NC 28422 Columbus 910-641-4410 110 Courbouse Square Whiteville, NC 28472

Jon David—District Attorney

Email: jon.david@neccourts.org

January 26, 2018

Interim Assistant Director Dirk German NCSBI Special Investigations Unit 3320 Garner Road Raleigh, NC 27610

Dear Special Agent German,

Greetings! The purpose of this letter is to address the investigation, and prosecution if necessary, of several matters originally handled by the North Carolina State Board of Elections and Ethics Enforcement Team (hereinafter NCSBE) and now under your review. Specifically, the NCSBE has opened up three investigations: Case number 2016–141, concerning possible absentee ballot fraud committed by Patriots for Progress IE PAC; Case number 2016–142, concerning possible absentee ballot fraud committed by the Bladen County Improvement Association PAC; and Case number 2016-166, voter fraud allegations and possible false statements to affect election outcome allegedly perpetrated by McCrae Dowless. The above cases are related investigations originating in Bladen County and opened by the NCSBE in November 2016.

Bladen County has a troubled history of political groups exploiting the use of absentee ballots in an effort to skew support for a specific candidate or group of candidates. Indeed, as a local elected official myself, I have had numerous encounters with various such groups, some of whom are the subject of the above stated cases. These groups package the anticipated ability to garner absentee ballots as a commodity to be brokered. As a candidate, I have never engaged the services of any group to get out the vote (GOTV) and as District Attorney I have been outspoken in my criticism of their efforts. In fact, I sponsored a voter information meeting at the Bladen County Courthouse in 2012, together with Gary Bartlett, then Executive Director of the NCSBE. The purpose of the meeting was to educate the public about the appropriate procedures to follow in the collection of absentee ballots. At that time, representatives from both of the above named groups were in attendance. Sadly, it appears that these groups have failed to heed our advice.

During my election run for District Attorney in 2010, a local media outlet WWAY ran a story featuring Mr. McCrae Dowless' effort to get out the vote for the benefit of my opponent, Harold (Butch) Pope. Moreover, on the other side of the political aisle, the Bladen Improvement Society was rumored to have packaged a considerable number of votes in favor of my opponent Rex Gore, in the 2006 election for District Attorney. In short, given my personal history with both of these groups in general, and Mr. Dowless in particular, I perceive a conflict of interest in my office handling this perspective litigation.

As you are aware, case number 2016-166 involving Mr. McCrae Dowless alleges criminal behavior which occurred in Wake County. Accordingly, District Attorney Lorrin Freeman has jurisdiction over that matter. Given the interlocking nature of these cases, coupled with the fact of District Attorney Freeman's concurrent jurisdiction, and considering my perceived conflict, I feel it appropriate for her office to handle all of these matters. I have previously discussed this situation with District Attorney Freeman and she is prepared to accept responsibility for all of these cases.

By copy of this letter, I am requesting that you report directly to District Attorney Freeman and allow her to handle all of these matters. Please do not hesitate to contact me if you have any questions or concerns. Thank you in advance for your commitment to ensure the integrity of the voting process in Bladen County by holding any wrongdoers accountable.

Sincerely,

Jon David

District Attorney

13th Prosecutorial District

cc: District Attorney Lorrin Freeman cc: NCSBE Director Kim Strack

NCSBE

Case # 2016-142
BLADEN COUNTY IMPROVEMENT
ASSOCIATION PAC
Possible Absentee Ballot Fraud – 11/08/2016
General Election

)ynthia Shaw

rom:

Fleming, Joan < Joan Fleming@ncsbe.gov>

Sent:

Tuesday, November 01, 2016 4:15 PM

fo:

Cynthia Shaw

Subject:

RE: ABS ballot investigation

Cynthia,

After discussing this matter with Veronica, we both agree that concerning the absentee ballots containing suspicious handwriting associated with write-in votes, that you and your staff should copy the associated ballot container envelopes and scan them in to send to me in Raleigh so that we can begin looking into this. Of course, we do not want you to copy or send any of the actual ballots in question. We will make a trip to Bladen County as soon after Election Day as possible to review the ballots that are at issue and make a plan of action based upon that review and our review of the envelop containers. Please handle and store the original ballot containers in your normal fashion. Please process all absentee ballots in your normal fashion and let us know if you have any additional issues or questions.

Joan

Joan M. Fleming, CFE/Chief investigator North Carolina State Board of Elections 41 N. Harrington Street jost Office Box 27255 Raleigh, NC 27611 919,715.1792 office | 919.715.0135 fax Www.ncsbe.gov Brian Hehl PO Box 592 Dublin NC 28332 910-876-1579

2 November 2016

Joan Fleming NCSBOE

Re: Absentee Ballot Irregularities

Dear Mrs. Fleming:

At your direction from the previous email in regards to absentee ballot irregularities, we reviewed those ballots and envelopes, and separated them to be photocopied. Due to a possible missed ballot and or vote, the absentee machine was zeroed and all absentees from 10-18-16 were processed through the voting machine again. While Chairman Ludium and Secretary Daniel ran the ballots through, Director Shaw and I separated out the envelopes for those that had write in votes. We did this by matching the ballots from the outstack bin to the envelopes, after Ludium and Daniels put them through the machine. We were in direct view of both operations so that all members could see both processes for oversight. During that separation, there were several handwriting patterns that were overtly similar. Furthermore, those handwriting patterns were specific to certain names on the envelopes. By the end of the sorting process, I could determine the name on the envelope with a very high degree of accuracy, just by seeing the handwriting on the ballot. Of these names, two stood out. One is Patricia Cogdell, and the other is Deborah Monroe. I am in no way a handwriting expert, but some of the characters in the handwriting on the ballots appear to be similar in morphology to her signature. With Deborah Monroe, her handwriting has a slant that looks to be written left handed. The tops of the letters lean towards the left, while the voters' signatures generally lean to the right. However, on the ballots, the write-in names lean similar to Monroe's signatures. After reviewing those ballots, I do not recall seeing any of them with written documentation that they actually assisted the voters, only that they witnessed the voters filling in the ballots. We have not done any other ballots due to the time consuming process on 1 November, 2016. We, as a board have agreed to finish the absentee ballots on Monday before the election. At that time, we can, if you wish, look at more envelopes and beliets, but with the ones found on I November, I believe there are an overwhelming number of occurrences already, to review and investigate. If you have any questions whatsoever, please feel free to contact me.

Sincerely:

James Brian Hehl

Member, Bladen County Board of Elections

Case Number: 2016-142

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Michael Cogdell, 11/14/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/14/2016, Michael Cogdell, 1953, residing at

was contacted for an interview. After being advised of the identity of the interviewing officials and the purpose of the interview, Cogdell provided the following information:

Cogdell was shown a copy of an absentee ballot container envelope corresponding to voter Dwight Dale Campbell which was witnessed by Cogdell and Joyce Campbell. Cogdell acknowledged that the signature on one of the witness lines was his signature. He stated that Dwight Campbell's mother, Joyce Campbell, asked him to witness her son's signature on his absentee ballot. Cogdell stated that Dwight Campbell was present and he agreed to sign his absentee ballot container envelope as a witness. Joyce Campbell signed as the second witness.

Cogdell was informed that it is a violation of North Carolina election law for a candidate to assist a voter by signing as a witness to their absentee ballot. Cogdell stated that he was not aware of the law pertaining to candidates assisting with absentee ballots and he advised that if that is the case he had made an error that did not stem from malice or intent to harm anyone. He advised that he would comply with the law in the future.

Cogdell stated that his wife, Barbara Cogdell, also assisted several voters with their absentee ballots. He advised that Barbara Cogdell and Joyce Campbell are cousins, and they are considered "family." He provided a cellphone number for Barbara which is

Concerning assistance given to voters with a write-in vote for candidate that he believes that if any law was violated, it was done so inadvertently by associates of the Bladen County Improvement Association (BCIA), of which he is a member. He stated the BCIA is made up of a group of voters whose interest is to push an agenda that promotes minority representation in government. As such, the BCIA conducts voter drives at churches and tries to reach "shut-ins" who may not otherwise have an opportunity to vote. He advised that the BCIA uses "witness teams" and will sometimes leave voters with a list of telephone numbers of volunteers they can call for assistance with their absentee ballot. He stated the BCIA follows rules and recognizes that assistance can only be provided if the voter asks for their assistance. He stated they are "hands off" with the ballots after serving as witnesses.

Cogdell advised that missed the filing deadline for candidates and consequently he ran as a "write-in" candidate. His candidacy was supported by the BCIA and voting for mass was presented as an option to voters contacted by the BCIA.

Cogdell made reference to training that he and others received from an employee of the State Board, identified as Lee Cooley, who instructed that if a person asked for assistance with their ballot, then assistance could be provided. Cogdell was under the impression that the only time an individual who provided assistance had to sign the assistance attestation, was when that individual assisted the person in voting their ballot by marking the circles associated with candidates chosen by the voter. He stated that his understanding of the situation concerning assistance with the write-in candidate, is that several voters were agreeable to voting for put were not familiar with his name and therefore preferred that the BCIA volunteer filled in his name on the write-in line of the ballot. He noted that some voters have poor handwriting or can't spell, or have shaky hands, and therefore welcomed the assistance given in writing parameters. Cogdell stated that it was his understanding that filling out the assistance section of the ballot envelope was for voters who were completely incapacitated, and could not physically complete any parts of the ballot without help. In any case, it was not his understanding that BCIA workers were providing routine assistance in selecting and marking voting choices for voters. Therefore, they did not believe the assistance attestation applied.

Cogdell stated he wished to provide background on an unrelated complaint that was forwarded to the Bladen County Board of Elections (BCBOE) by Linda Johnson-Baldwin. He stated he was home one evening and received a call from Dorothy Johnson who wanted Cogdell to know about a situation involving Baldwin and someone who had taken her absentee ballot and who had not returned the ballot as promised. Cogdell contacted Baldwin by telephone and she confirmed that a male individual. identified as "Josh," had collected her ballot and had not returned it to her after promising that he would. Baldwin said that Josh had come by her house to see if she wanted to vote absentee in the upcoming election. Josh was purportedly working his way through college and was being paid to solicit voters by an unknown person. Baldwin felt that she wanted to help him and she told Cogdell that her sons went to school with Josh and knew him. Three or four days after she applied for absentee ballots for herself and children, Josh came by to assist with the ballots. Baldwin told Cogdell that Josh indicated that his "boss" wanted him to push voters to vote for candidate Ray Britt, and that Josh was upset with her when she told him "no." He told Baldwin that he needed to take her and her sons ballots into his possession so that he could bring them to his boss so he could get paid for his work. Baldwin allowed Josh to take the ballots, but told him she wanted them back after he showed them to his boss. She told Cogdell that she had no telephone to reach Josh and was worried because she wanted to vote in the election. Baldwin asked Cogdell what she should do and he recommended that she file a written complaint with the BCBQE, which she did on or about 10/4/2016. Cogdell and Dorothy Johnson assisted Baldwin in making her complaint by going to the BCBOE and speaking with the Director, Cynthia Shaw. Shaw told them she didn't know who "Josh" was but she would "cancel" the ballots if they arrived at the BCBOE.

Cogdell stated that after about one week he called to ask if Baldwin had voted. She told him she had. She subsequently informed Cogdell that "Josh" had re-appeared at her residence with her and her sons' ballots in hand, and a letter of apology. When he asked if anyone from the BCBOE had called her she

told him they had not. Cogdell made copies of the ballot envelopes that were returned to Baldwin by Josh. Cogdell informed Horace Munn, President of the Bladen County Improvement Association, who contacted the State Board.

Cogdell stated it seems fair to say that "Josh" was pushing an opposing candidate to Cogdell in that Ray Britt was also running for town council. Cogdell noted that Horace Munn and McCrae Dowless (who is associated with an opposing PAC) "used to be friends." Cogdell advised he is not familiar with either of the witnesses indicated on Baldwin's absentee envelope, who are identified as "Caitlyn Croom" and "Matthew Matthis."

Copies of relevant voter documents (except for the ballot) are attached to this report.

BLADEN COUNTY Absentee application and certificate

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS FELONY UNDER CHAPTER 163 OF THE NO GENERAL STATUTES

> Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notarypublic). Witnesses must also sign and provide

their complete address NOTER'S CERTIFICATION

DWIGHT DALE CAMPBELL 333 BOOKER T WASHINGTON SCHOOL RD CLARKTON, NC 28433

DEM - BLADEN COUNTY

Ballot: G004

DWIGHT DALE CAMPBELL PCT/VTD:P25/P26 11/08/2018 - GENERAL

ballot.

Name correction (if applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (If applicable)

(Goophe)

I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing it is certificate because the voter is unable to complete and/or sign this cettification_

I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated

on this application, that all information represented is correct, and that I am entitled to you in this election.

If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated:

I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to witness the casting of my absentee

(DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.

Name of Person Assisting Veter (if applicable)

Address of Person Assisting Voter SLP, 29 2016

ALTERNATIVE NOTARY-WITNESS CERTIFICATION

his/her absentee ballot. On

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her instruction, and signed this absence application and certificate.

(Use tris section only if vitnessing this certificate and application as a newly printe.)

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, the voter:

I certify that I am at least 18 years of age and am not disqualified by O.S. 163-

226.3(e)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the

Print Voter's Name

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or

Signature of Person Assisting Voter

Date

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BOARD APPROVAL:

OCT 18 2016

Date

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I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/ner absentee ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her instruction, and signed this absentee application and certificate.

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Signature (Required) 177 KK

Wingess#1 Street Address (Required)

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Witness#1 City, State, Zip (Required)

My Commission Expires

Signature of Notary Public

ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absentee ballots for any other elections to be held this calendar year in which I am eligible to participate. .

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Signature	of Voter	(if app	icable)

SECOND PRIMARY OF RUNDEF REQUEST

In the event that a Second Printary (or Runoff Election) is called, with my signature below. I request that an absentee application and ballot be issued to me end mailed to me at the address given below.

Signatur		

X

Case Number: 2016-142

investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Barbara J. Cogdell, 11/14/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud – 11/08/2016 General Election

On 11/14/2016, Barbara J. Cogdell, DOB 1950, residing at was contacted for an interview. After being advised of the identity of the interviewing officials and the purpose of the interview, Cogdell provided the following information:

Cogdell acknowledged that she participated in a get-out-the-vote (GOTV) absentee ballot drive, sponsored by the Bladen County Improvement Association PAC (BCIA) in advance of the 2016 general election.

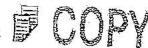
Cogdell was shown a copy of an absentee ballot container envelope corresponding to voter Samuel Lee McNair, Jr., which was witnessed by Cogdell two times, with no other witness appearing. Cogdell acknowledged that the signatures on two witness lines were her signatures. She stated she did not know why she signed as a witness twice on McNair's ballot envelope, but she speculated that likely was distracted, talking to people, and did not realize that she witnessed the ballot twice.

Concerning another ABS ballot application associated with voter Dorthe Ann Shipman, Cogdell again signed twice, but then appeared to have crossed through her first signature replacing it with the name: Stephen Cogdell. Cogdell identified Stephen Cogdell as her son. She stated that her son was with her when she met with Shipman and she and her son signed the ballot container envelope in Shipman's presence. [Investigator's Note: The signature of Stephen Cogdell appears to be identical handwriting to that of Barbara Cogdell.]

Cogdell stated that she sometimes worked with Mary Johnson who was also a GOTV volunteer for the BCIA.

In addition to assisting voters vote by absentee ballot in their homes, Cogdell also stated she assisted other voters by bringing them to the polls.

BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE



FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS
A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES

Envelope must be signed by the voter and in the presence of two (2) vitnesses for one notary-public.

Witnesses must a	also sign and provide their complete address.
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request for absence ballots for any other elections to be held this calendar year

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Signature of Voter (if applicable)

BLADEN COUNTY FOR ABSENTEE APPLICATION AND CERTIFICATE

ERAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS FEBLONY UNDER CHAPTER 163 OF THE NO GENERAL STATUTES

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Figure 1995 sign and province their complete address.

VOTER'S CERTIFICATION DORTHEANN SHIPMAN 511 TALL OAKS DR # D I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indica-ELIZABETHTOWN, NC 28357 on this application, that all information represented is correct, and that I am entitled to vote in this election If I am an Unofficiated voter voting in a primary election, I am voting in the Party Primary indicat (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot. DEM - BLADEN COUNTY I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein it was marked for me in my presence and according to my instructions) in the presence of two witness who are at least 18 years of age and who are not disqualified by law to witness the cesting of my absen 2000年的1000年 2000年 20 DORTHE ANN SHIPMAN PCT/VTD:P502/P502 Munt 50 11/08/2016 - GENERAL Name correction (if applicable) CERTIFICATION OF PERSON ASSISTING VOTER (If applicable) I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I BOARD APPROVAL: assisted the voter in signing this certificate because the voter is mable to complete and/or sign this exchineation. OCT 18 2016 Name of Person Assisting Voter (if applicable) Address of Person Assisting Voter - Date Signature of Person Assisting Voter Date 到了 ALTERNATIVE NOTARY WITHESS CERTIFICATION WITNESSES! CERTIFICATION centify that I am at least 18 years of age and em not disqualified by G.S. 163-226.3(a)(4) or C.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absence ballot, and in my presence, the voter marked the I certify that I am at least 18 years of age and am not disqualified by G.S. enclosed ballot, or caused it to be marked in his/her presence according to his/her 2263(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing instruction, and signed this absentee application and certificate. of bis/her absentee ballot. On cashing the the voter: Pont Voter's Name these (I City, State, Zip (Required) personally appeared before me, was positively identified, and in my presence ma the enclosed ballot, or caused it to be marked in his or her presence according to h her instruction, and signed this absence application and cutificate. Signature of Notary Public Witness # City, State, Zip (Required) My Commission Expires SECOND PRIMARY OF RUNOFF REQUEST ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY In the event that a Second Primary (or Runoff Election) is called, with my Due to continued or expected illness or disability, I request that this application &

signature below, I request that an absence application and ballot be issued to

me and mailed to me at the address given below.

Signature of Ymer (If applicable)

NCSBE Report of Investigation

Case Number: 2016-142

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Deborah Monroe, 11/17/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/17/2016, Deborah Monroe, DOB /1959, residing at

was contacted for an interview at her residence. After being advised of the identity of the interviewing officials and the purpose of the interview, Monroe provided the following information:

Monroe stated that she worked on an absentee ballot voter drive effort associated with the Bladen County Improvement Association PAC (BCIA) as a paid volunteer prior to the November 2016 general election. She denied being a "member" of the BCIA PAC and said she was simply assisting the organization by trying to help "get-out-the-vote." She advised the purpose of the voter drive effort was "helping people with ballots" and she stated that she and others would "ask if we could come back and help" with their ballot.

Monroe stated that her group was supporting a "straight Democratic ticket" and as such, she made it clear that she supported voting for Democratic candidates that appeared on a sample ballot that she would show to voters. However, she stressed that she informed voters that although she was supporting those candidates, the voter could vote for whomever they wanted, including Republican candidates, and that her organization could not tell a voter how to vote, nor did they have to vote a straight Democratic ticket.

Monroe advised that one of the candidates that the BCIA was supporting was a write-in candidate for Soil and Water Conservation District Supervisor, identified as Franklin Graham. She would inform voters "we have a write-in candidate who is Franklin Graham" and would tell the voter "you can vote for him if you want to." She stated she would tell the voter, "we can't tell you how to vote – if you want him you can vote for him, or not – it's up to you."

Monroe noted that several voters asked if Monroe could assist them by writing Graham's name on their ballot. She stated she would agree to help write Graham's name, but informed the voters that they had to "bubble in" the circle beside the write-in because she could not do that. She was adamant that she never filled in the bubble because she understood the voter had to do that. She stated that if they failed to fill in the bubble, her understanding was that their vote would not count. Monroe stated that some of the voters they encountered were unable to read or write, or were visually or physically impaired, such that they needed assistance with the writing Franklin Graham's name on their ballot. She noted that some were "young, new voters" who "didn't know how to vote."

Monroe denied being aware of the need to sign the "certification of person assisting voter" contained on the absentee ballot container envelope. She noted that the voters filled in their own "circles" indicating who they wanted to vote for, and Monroe believed that in doing so they were voting their own ballot—including when they filled in the bubble next to Franklin Graham's name. Monroe noted that in instances where she has been asked to provide assistance to voters at the polls, she has never been asked to sign any paper. She noted that at times, she has had to help very elderly people fill in the circles next to their choices, because they are unable to do so for themselves. She stated that if they asked for help, assistance was given. She reiterated that there was no requirement to sign anything at the polls.

Monroe stated that when she and others working for the BCIA went to voter's residences there were sometimes other family members or friends who could serve as witnesses for the voter and on those occasions, Monroe would not need to serve as a witness.

Monroe stated that she has been involved in voter drives for "5 or 6 years" and has always assisted people in the same manner as described above. She was not certain if she had ever assisted with a write-in candidate in a previous election, but she had assisted with absentee ballots as a witness.

Monroe stated she was only paid a small amount of money for her work which covered expenses for gas. She opined that more effort should be spent investigating people who are "getting paid and abusing people." She was aware of allegations circulating on Facebook that she and others had done something wrong in the way they conducted the voter drive. She noted the allegations included that she or others had intentionally disguised their handwriting when filling in the write-in candidate's name, by writing with their weak hand. Monroe denied the allegation, stating she had "no reason" to disguise her handwriting. Monroe stated she has had carpal tunnel surgery on her left hand and that she has always printed "from Kindergarten to 11th grade."

When shown some ballots containing printing believed to be Monroe's printing of write-in candidate Franklin Graham's name, Monroe did not deny that she did print Graham's name on several ballots to assist voters. She denied that any of the writing of Graham's name in "cursive" was hers.

NCSBE Report of Investigation

Case Number: 2016-142

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Jannie Mae Smith, 11/16/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/16/2016, Jannie Mae Smith, DOB 1948, residing at was contacted for an interview. After being advised of the identity of the interviewing officials and the purpose of the interview, Smith provided the following information:

Smith recalled applying for an absentee ballot request form for the November 2016 general election and that the ballot came to her residence.

Smith was shown copies of her "Bladen County Absentee Application and Certificate" and her corresponding ballot. She confirmed that the signature displayed on the "voter's certification" was her signature and added that she typically votes by absentee ballot. She advised that she was alone when she voted her ballot and signed the envelope and there were no witnesses present.

Smith stated that she does not know Deborah Monroe or Lola Wooten and neither were present when she signed her ballot. Smith was unable to explain how their signatures came to appear on her absentee application. She does not know and and did not know how his name got on her ballot. Smith had no recollection of a write-in vote and she said the handwriting on the ballot is not her handwriting.

Smith claimed that after voting her ballot and placing it in the envelope, she sealed the envelope and gave it to her sister to mail to the Bladen County Board of Elections.

Smith had no logical explanation as to how Wooten and Monroe obtained her ballot to sign as witnesses or how name came to be written on her ballot if they were not present when she signed her ballot. As such, the credibility of the information provided by Smith is considered questionable. Smith did not offer any additional information of value.

Copies of relevant voter documents (except for the ballot) are attached to this report.

Bladen County Absentee application and certificate



FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASSIFELONY UNDER CHAPTER 163 OF THE NG GENERAL STATUTES.

T Envalope must be signed by the voter and in the presence of two (2) witnesses (or one notary-public). I Witnesses must also sign and provide their complete address.

JANNIE MAE SMITH 5609 MERCER MILUBROWN MARSH RD CLARKTON, NC 28433

DEM - BLADEN COUNTY

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JANNE	MAE SMITH

PCT/VTD:P502/P502 11/08/2016 - GENERAL

Muni:

BOARD APPROVAL:

GCT 18 2016

Date

VOTER'S CERTIFICATION

I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated on this application, that all information represented is correct, and that I am entitled to vote in this election. If I am an Unoffiliated voter voting in a primary election, I am voting in the Party Primary indicated; (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.

I certify that I am making application for an absence ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to witness the casting of my absence ballot.

X	*	10-13-18
ignature of Voter (Requires)	**************************************	Date

Name correction (if applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (If applicable)

I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification.

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MANUE OF	L CIZIO	Assisting V	O'ST (11.9	bbircanie)

Address of Person Assisting Voter

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Signature of Person Assisting Voter

Date

WITNESSES CERTIFICATION

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her instruction, and signed this absence application and certificate.

Witness of Signature (Required) is D2

Witness #1 City, State, Zip (Required)

SOLVED THIS OBSILT

51 Cliffe Hetcher K

Council N.C. 28494

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SECOND PRIMARY OR HUNOFF REQUEST

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absence application and ballot be issued to me and mailed to me at the address given below.

	Signature	of Votes	(Ifapp	liceble)
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X

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State.of_				_, County	OI			- T	-
1 centify 226,3(2)	that .	Eam at le	ast 18 years -237(b1) to	of age i	e voter	not d	isqualified arking or v	by GS.	163-
casting			absentee 20	ballot.		the		day	of

Print Voter's Name

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absence application and certificate.

X Signature of Notary Public

My Commission Empires

ANNUAL REQUEST FOR SICKNESSIPHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absence ballots for any other elections to be held this calcular year in which I am eligible to participate.

X

Signature of Voter (if applicable)

Case Number: 2016-142

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Satin Pridgen, 11/16/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/16/2016, Satin Danesha Pridgen, DOB 1996, residing at was contacted for an interview. After being advised of the identity of the interviewing officials and the purpose of the interview, Pridgen provided the following information:

Pridgen said that she recalled signing an absentee ballot request form for the November 2016 general election and that the ballot came to her residence.

Pridgen was shown copies of her "Bladen County Absentee Application and Certificate" and her corresponding ballot. She confirmed that the signature displayed on the "voter's certification" was her signature. She advised that she was alone when she signed it and there were no witnesses present.

Pridgen stated that she does not know and has never heard of Deborah Monroe or Lola Wooten and she had no recollection of either assisting her as witnesses with her ballot. She stated neither is related to her and she did not recall them signing her ballot envelope. Pridgen was unable to explain how their signatures came to appear on her absentee application.

Pridgen stated that she did not vote her ballot but she did sign the ballot container envelope. She stated that the ballot envelope was blank when she signed it. According to Pridgen, the ballot was also blank and did contain any handwriting indicating a write-in vote for anyone. She did not know who was and had no knowledge as to how his name came to be written on her ballot. She stated the handwriting on the ballot was not hers. Pridgen denied putting her ballot in the mail and did not know who or how it was transmitted to the Bladen County BOE. She stated, "All I did was sign it."

Pridgen was extremely nervous and avoided eye contact with the investigators during the entire interview suggesting that she was possibly fearful and/or was giving less than candid answers. She had no logical explanation as to why she would request her ballot and sign it but not fill it out or mail it in. She had no information as to how and where Wooten and Monroe obtained her ballot to sign as witnesses or how her ballot, which she stated she never voted, was placed in the mail. As such, the information provided by Pridgen was not considered credible and Pridgen was advised of same. Pridgen did not offer any additional information of value.

Copies of relevant voter documents (except for the ballot) are attached to this report.

BLADEN COUNTY



ABSENTEE APPLICATION AND CERTIFICATE

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS CEASS FEELONY UNDER CHAPTER 183 OF THE NO GENERAL STATUTE

Savelops must be signed by the voter and in the presence of two (2) vitnesses (or one notary-public). I

		Will BEEFER HILL	inust also sign and provi	de their complete address.
Programme and the control of the con	VOTER'S CEF	TIFICATION		
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	I cartify that I am m	aking application for an absen	tee ballot, and that I mad	ced the ballot enclosed herein (or
	it was ntanked for p who are at least 18; ballot.	ne in my presence and accord years of age and who are not	ling to my instructions) i disqualified by law to wi	n the presence of two witnesses theses the casting of my absentee
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	§ X		//	5/13/16
	Signature of Voter	(Required)		Daic
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11/08/2016 - GENERAL MUNT	Name correction (if applicable)	23 df 18509 20 966 966 1	50 50 50 50 50 50 50 50 50 50 50 50 50 5
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DOT 4 O DRIE	s certification.			24 - O. 20 - Attorio - Caldan - Artanz - Calda
OCT 18 2016 -	25.00	<u> </u>	<u> </u>	
;	Name of Person A	issisting Voter (if applicable)	Address of Person Assist	ing Voter
Date The Print	X	20.		
		on Assisting Voter		Date
	262A			
WITNESSES CERTIFICATION		ALTERNATIVE N		
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vertify that I am at least 18 years of age and am not di	isotralified by G.S. 163-			THE PARTY OF THE P
226.3(a)(4) or G.S. 163-237(b1) to assist this voter in ma	arking or witnessing the	State of	County of_	
casting of his/her absentee ballot, and in my presence		I certify that I am at leas	et 18 years of age and s	un not disqualified by G.S. 163
enclosed ballot, or caused it to be marked in his/her prese instruction, and signed this absence application and certi-		226.3(a)(4) or G.S. 163-2	37(bl) to assist this vo	ter in marking or witnessing the
	Toste.	easting of his/her	absentee ballot. Or	r the day o
XDEBORALL MONROS			, the year	T.
Witness #1 Signature (Required)				
Of Cital Fataber 1d Wigness #1 Street Address (Required)			Print Voter's Name	-
Council N.C- 28474			TIME VOICE STRAIR	
Witness #I City, State, Zip (Required)		personally anneared before	me, was oosifiyely iden	lifted, and in my presence, market
		the enclosed ballot, or caus	sed it to be marked in his	or her presence according to his o
01111		her instruction, and signed	this absentee application	and certificate.
X Ala WACKU		v	Ţ · · · ·	
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Winess #2 City, State, Zip (Required)		My Commission E	क्रांदि	Sent

SECONO PRIMARY OR RUNOFF REQUEST

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absentee application and ballot be issued to me and mailed to me at the address given below.

X	
Signature of Voter (if applicable)	

ANNUAL REQUEST FOR SICKNESSIPHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absentee ballots for any other elections to be held this calendar year in which I am eligible to participate.

100	20 200 p			
**				
A				
Signature of Vot	er (if applicable	e)	\$4.101_3V	

Investigator(s): Joan Fleming		
Document:	Interview of Judy Ann Frederick, 11/28/2016	
County(s):	Bladen County	
Subject(s):	Bladen County Improvement Association PAC	
at sand which	Possible Absentee Ballot Fraud - 11/08/2016 General Election	
Op.11/28/2016	, Judy Ann Frederick, DOB 11954, residing at	
011 11/20/2010	was contacted for an interview. After being advised of the identity of the	
interviewing of	ficial and the purpose of the interview, Frederick provided the following information:	
Frederick was s	hown copies of her "Bladen County Absentee Application and Certificate" and her	
corresponding	ballot. She confirmed that the signature displayed on the "voter's certification" was her	
signature.		
140 NO 2400 N N	And the second s	
	ed that she knows both Deborah Monroe and Lola Wooten and she recalled that they witnesses with her ballot.	
assistantier as	with the paroc	
When asked to	explain what kind of assistance Wooten provided, Frederick claimed that she (Frederick	
"voted her own	ballot." However, she stated she did not print the write in vote for	
her ballot and	she does not know who	
ballot she state	ed that she is "ok" with her voted ballot. It was noted by the writer that Frederick did no	
appear to reco	gnize any of the names on the ballot except for one of the presidential candidates.	
Frederick appe	arod to be in	
anderick appe	and to be an	
Frederick did n	ot indicate that Wooten or Monroe took possession of her voted ballot.	
Copies of relev	ant voter documents (except for the ballot) are attached to this report.	

absentee application and certific

Bladen County

FRAUDULENTLY OR FAUSELY COMPLETING THIS FORM IS A CLASS LEEL ON UNDER CHARTER 163 OF THE NG GENERAL STATUTES

Envelope must be signed by the voter and in the presence of two (2) wilnesses (or one notary-

public). Witnesses must also sign and provide their complete address

JUDY ANN FREDERICK 420 E MCKAY ST#2D ELIZABETHTOWN, NC 28337 DEM - BLADEN COUNTY

> Ballot: G003 IN FREDERICK PCT/VTD:P502/P502 11/08/2016 - GENERAL

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Muni: 50

BOARD APPROVAL: OCT 18 2016

1,3,2, +18

WITNESSES! CERTIFICATION.

VOTER'S CERTIFICATION

I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated on this application, that all information represented is correct, and that I am entitled to vote in this election: If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated: (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan bailot.

I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disquallfied by law to witness the casting of my absentee ballot.

Name correction (If applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (ITapplicable)

I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification.

Ax Signature of Person Assisting Voter	
	7/9

State of

Name of Person Assisting Voter (if applicable)

ALTERNATIVE NOTARY WITNESS CERTIFICATION

On the

the voter:

Address of Person Assisting Voter.

County of

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-

2263(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the

ballot.

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absentee

of his/her

· (Two whilesses are regular unless whilessed by a notary public) I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(z)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the easting of his/her absence ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her and signed this absente application and certificate.

Acquired

nature (Required)

Witness #2 City, State, Zip (Required)

conne!

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absentee application and certificate.

Print Voter's Name

Signature of Notary Public

My Commission Expires

Secil

day of

SECOND PRIMARY OF RUNORF REQUEST

In the event that a Second Primary (or Runoff Blection) is called, with my signature below, I request that an absentee application and ballot be issued to me and mailed to me at the address given below.

Signature of Voter (if applicable)

ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absence ballots for any other elections to be held this calendar year in which I am eligible to participate.

Signature of Voter (if applicable)

Case Number: 2016-142 Investigator(s): Joan Fleming

Document: Interview

Interview of Sue Smith McLaurin, 11/28/2016

County(s): Bladen County

Subject(s): Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/28/2016, Sue Smith McLaurin, DOB 1955, residing at was contacted for an interview. After being advised of the identity of the interviewing official and the purpose of the interview, McLaurin provided the following information:

McLaurin was shown copies of her "Bladen County Absentee Application and Certificate" and her corresponding ballot. She confirmed that the signature displayed on the "voter's certification" was her signature.

McLaurin advised that some people appeared at her residence and asked if she would like to vote by absentee ballot. She agreed and signed an absentee ballot request request form. She stated that this was the first election where she voted by absentee ballot.

McLaurin subsequently received her ballot in the mail which she said she "didn't understand." Lola Wooten, who was one of the two individuals who helped McLaurin with the request form, came back to McLaurin's house by herself and assisted her with her ballot, after which Wooten signed McLaurin's ballot container envelope as a witness. McLaurin identified the second witness as her daughter, Janet Whitted.

When asked to explain what kind of assistance Wooten provided, McLaurin responded that Wooten generally helped her with the process and instructions. During the visit, Wooten also suggested that McLaurin consider voting for write-in candidate. McLaurin recalled that name was not on the ballot and she agreed to allow Wooten to print name in the write-in spot on her ballot. McLaurin stated that she "trusted" the advice that Wooten provided. She felt free to make her voting choices for herself and was not pressured or intimidated.

McLaurin was not one hundred percent certain who darkened the circle by an arme, but believed she (McLaurin) marked it.

McLaurin did not indicate that Wooten took possession of her voted ballot.

Copies of relevant voter documents (except for the ballot) are attached to this report.

request for absentee ballots for any other elections to be held this calendar year in

which I am eligible to participate.

BLADEN COUNTY ABSENTEE APPLICATION AND CERTIF

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NO GENERAL STATUTES

Envelope must be signed by the voter and in the

presence of	two (2) witness	es (or one notary-
Ťh	esses must also eir complete ad	o sign and provide
The second section and the second section of the second section section section sections and the second section sectio	VOTER'S CER	ATIFICATION
SUE SMITH MCLAURIN		that I am a duly qualified voter, registered as an affiliate of the political party indicated
420 E MCKAY ST # 68 ELIZABETHTOWN, NC 28337	on this application.	that all information represented is correct, and that I am entitled to vote in this election
	If I am an Unaffili	ated votes voting in a primary election. I am voting in the Party Primary indicated
DEM - BLADEN COUNTY	(DEM) (REP) or (L	IB). If the party indicated is (UNA), I am voting a nonpartisan ballot.
	I certify that I am m	taking application for an absence ballot, and that I marked the ballot enclosed herein (or
Target Sterenger	it was marked for r	me in my presence and according to my instructions) in the presence of two witnesses
	who are at least 18 ballot.	years of age and who are not disqualified by law to witness the casting of my absentee
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SUE SMITH MCLAURIN	Signature of Voter	(Accionea) Date
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11/08/2016 - GENERAL Munit 50		
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	CERTIFICATI	ON OF PERSON ASSISTING VOTER (If applicable)
BOARD APPROVAL:	I certify that I assist	ed the voter in marking his or her ballot according to his or her lestruction and/or I
	assisted the voter in centification.	signing this certificate because the voter is unable to complete and/or sign this
OCT 18 2016	centification.	
	Name of Person A	Assisting Veter (if applicable) Address of Person Assisting Voter
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	X Signature of Person	A Activities Vene
	Digistate of Letw	na Assisting Voter Date
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WITNESSES CERTIFICATION		ALTERNATIVE NOTARY WITNESS CERTIFICATION
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226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking	or witnessing the	State of County of
casting of his/her absentee ballot, and in my presence, the	voter marked the	I certify that I am at least 18 years of age and am not disqualified by G.S. 163-
enclosed ballot, or caused it to be marked in his/her presence a instruction, and signed this absentes application and certificate	ccording to his/her	226.3(2)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the
v I ola lib So	. 50	casting of his/her absentee ballot. On the day of
Visitess A Signature (Required)		, 20, the voter:
108 Cleus DR		
Wilness El Street Address (Regyrod)	<u> </u>	Print Voter's Name
_Ehzabethterna	20	** * * * *
Witness #1 City, State, Zip (Required)		personally appeared before me, was positively identified, and in my presence, marked
		the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absentee application and certificate.
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
X JOHN COMMISSION		X
K311 17 Pr and 1 10 11 - OA		Signature of Notary Public
Witness #2 Street Address (People A)		*
JOURTHAIN 71C 23301		
Witness of City, Stale, Zip (Required)		My Commission Expires : Seal :
en e		
SECOND PRIMARY OR RUNOFF REQUEST		ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY
In the event that a Second Primary (or Runoff Election) is	called, with my	Due to continued or expected illness or disability, I request that this application be a

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absentee application and ballot be issued to

me and mailed to me at the address given below.

Case Number: 2016-142 Investigator(s): Joan Fleming

Document: Interview

Interview of Demeka Shenca Turner, 11/28/2016

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/28/2016, Demeka Shenca Turner, DOB was /1978, residing at was contacted for an interview. After being advised of the identity of the interviewing official and the purpose of the interview, Turner provided the following information:

Turner was shown copies of her "Bladen County Absentee Application and Certificate" and her corresponding ballot. She confirmed that the signature displayed on the "voter's certification" was her signature.

Turner stated that she has voted by absentee ballot in the past. She advised that "Lola comes by to get me to vote" referring to Lola Wooten, whose signature appeared on Turner's ballot container envelope as a witness.

Turner stated that she (Turner) filled out an absentee ballot request form, and that when the ballot arrived in the mail at her residence, Wooten "came by and helped me with it." When asked to explain what kind of "help" Wooten provided, Turner responded that Wooten was promoting certain candidates and she helped Turner make choices as to who to vote for. Turner explained that she (Turner) knew what her choice was for President of the United States (POTUS), but needed help with the other contests where she was unfamiliar with the candidates. Wooten explained that was a write-in candidate that Wooten was supporting. Turner stated that she agreed with voting for and allowed Wooten to write that name in the space provided on the ballot and fill in the corresponding circle. Turner stated that she marked her own ballot everywhere except for the handwriting where the name appeared. She stated she was not intimidated or forced by Wooten in any manner and that she was "ok with that" and wanted Wooten to assist with her write-in vote.

Turner recalled that Wooten was accompanied by another person (Sandra Green), and that both Wooten and Green witnessed Turner's signature on her ballot container envelope. Turner's understanding was that both individuals "go around helping people to vote." Turner did not indicate that Wooten or Green took possession of her voted ballot.

Copies of relevant voter documents (except for the ballot) are attached to this report.

Exhibit 2.2.2.1 Bladen County

33 of 278 absentee application and certific

request for absence ballots for any other elections to be held this calendar year in

which I am eligible to participate.

Signature of Voter (if applicable)

X

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS

A CLASS FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES.

Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notarypublic). Witnesses must also sign and provide

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their complete address. VOTER'S CERTIFICATION DEMEKA SHENCA TURNER I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated 407 S LOWER ST # 9 on this application, that all information represented is correct, and that I am entitled to vote in this election. ELIZABETHTOWN, NC 28337 If I am an Unoffiliated voter voting in a primary election, I am voting in the Party Primary indicated: (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot. DEM - BLADEN COUNTY I certify that I am making application for an absence ballot, and that I marked the ballot eaclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to witness the casting of my absentee **经营业的企业的企业的** EMPERATURE TO SERVER ball W ADCENITED Signature of Voter (Required) Ballot: Goos SHENCA TURNER PCT/VTD:P502/P502 Munit 50 11/08/2016 - GENERAL Name correction (if applicable) CERTIFICATION OF PERSON ASSISTING VOTER (If applicable) I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I BOARD APPROVAL: assisted the yoter in signing this certificate because the voter is unable to complete and/or sign this certification. 18.266 Name of Person Assisting Voter (if applicable) Address of Person Assisting Voter ... Date ... Signature of Person Assisting Voter Date WITNESSES CERTIFICATION ALTERNATIVE NOTARY-WITNESS CERTIFICATION (Usa this saction only if volusessing this continuate and epolication as a notary purisc.) (Two Winesses are required unloss Wilnessed by a notery public.) I certify that I am at least 18 years of age and am not disqualified by G.S. 163-State of County of 226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot, and in my presence, the voter marked the I certify that I am at least 18 years of age and am not disqualified by G.S. 163enclosed ballot, or caused it to be marked in his/her presence according to his/her 226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the instruction, and signed this absentee application and certificate. day ballot. On casting of his/her absentce the voter: Witness #1 Signature (Required) 10. BOX 2311 Print Voter's Name Whitess #1 Street Address (Required) lizabeth towne 28337 personally appeared before me, was positively identified, and in my presence, marked Witness #1 City, State, Zip (Required) the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absentee application and certificate. Signature of Notary Public My Commission Expires Seni SECOND PRIMARY OR RUNOFF REQUEST ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY In the event that a Second Primary (or Runoff Election) is called, with my Due to continued or expected illness or disability, I request that this application be a

signature below, I request that an absentee application and ballot be issued to

me and mailed to me at the address given below.

Signature of Voter (if applicable)

Case Number: 2016-142

Investigator(s): Marshall Tutor/Joan Fleming

Document:

Interview of Alberta White, 11/15/2016;

County(s):

Bladen County

Subject(s):

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/15/2016, Alberta I	Burt White, DOB	/1942, resid	ding at
	was contacted for an	interview.	After being advised of the identity of the
interviewing officials and	the purpose of the int	erview, Wh	ite provided the following information:

White was shown copies of her "Bladen County Absentee Application and Certificate" and her corresponding ballot. She stated that the signature displayed on the "voter's certification" was her signature.

White recalled that she was solicited to vote by Lola Wooten (108 Lears drive, Elizabethtown, NC 28337), whose signature appeared on the same document as a witness. White spoke with Wooten about voting while she was at the local library where Wooten was participating in a get-out-the-vote effort. Wooten assisted White in filling out paperwork to vote which was thereafter mailed to the Bladen County Board of Elections (BCBOE). White did not recall Wooten specifically telling her that the paperwork was for an absentee ballot.

White stated that after the absentee ballot arrived at her residence, Wooten and Deborah Monroe (81 Clyde Hatcher Road, Elizabethtown, NC 28434) met White at her residence to assist her as witnesses. She stated she is more familiar with Wooten than Monroe, but that she knew who Monroe was. Wooten "explained the whole ballot' to White including that White could cast a write-in vote in the "Soil and Water Conservation District Supervisor" contest. Wooten told White that the write-in candidate her organization was promoting was with the work of the wooten to write that name in the space provided on the ballot. White stated that she marked her own ballot everywhere except for the handwriting where appeared, and she identified the handwriting as Wooten's.

White stated that both Wooten and Monroe were present at her residence when White signed her absentee ballot envelope. White denied that Wooten or Monroe took possession of her voted ballot. She advised that she mailed her own ballot into the BCBOE.

Copies of relevant voter documents (except for the ballot) are attached to this report.

BLADEN COUNTY

ABSENTEE APPLICATION AND CERTIFICATE



FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A GLASSIFE LONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES IN

Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notary-public). Witnesses must also sign and provide their complete address

	must also sign and provide nplete address.		
ALBERTA BURTWHITE	ERTIFICATION		
ELIZABETHTOWN, NC 28337 I do hereby cert ELIZABETHTOWN, NC 28337 I do hereby cert on this application of the second of the sec	I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicate on this application, that all information represented is correct, and that I am entitled to vote in this election. If I am an Unoffiliated voter voting in a primary election, I am voting in the Party Primary indicates		
DEM - BLADEN COUNTY (DEM) (REP)	r (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.		
Certify that I a	nn making application for an absence ballot, and that I marked the ballot enclosed herein (or		
it was marked by who are at least	for me in my presence and according to my instructions) in the presence of two witnesses it is years of age and who are not disqualified by law to witness the casting of my absentee		
psylor .			
	Volet (Required) Date		
Ballot: G005 Signature of	Voter (Required) Date		
ALBERTA BURT WHITE PCT/VTD:P502/P502 Muni: 50			
11/08/2016 - GENERAL	Sion (if applicable)		
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· · · · · · · · · · · · · · · · · · ·	ATION OF PERSON ASSISTING VOTER (IF applicable)		
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	son Assisting Voter (if applicable) Address of Person Assisting Voter		
Daie			
	Person Assisting Voter Date		
STITNESSES GEREIFICATION (Invalvinesses pre-required triess ware sear by a notary public) I certify that I am at least 18 years of age and am not disqualified by G.S. 16 226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing to easting of his/her absence ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/hinstruction randsigned this absence application and certificate. X. W.	State of County of the		
Witness II Stengture (Required) 10 10 Leut > DL	——·		
Witness #1, Street Address (Regines) EUZAP CHYTOWN WC 19337	Print Voter's Name		
Witness ill City, State, Zip (Required)	personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his other instruction, and signed this absence application and certificate.		
SOLVION HAYBBIG X	X		
Wingers 1/2 Signature (Required)	Signature of Notary Public		
81 Clide Hartehel Rd			
Witness 12 Street Address (Required) COUNCY NE 28434			
Witness #2 City, State, Zip (Required)	My Commission Expires Seel		
SECOND PRIMARY OR RUNOFF REQUEST	ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY		
In the event that a Second Primary (or Runoff Election) is called, with a signature below, I request that an absence application and ballot be issued meand mailed to me at the address given below.			

X Signature of Voter (if applicable)

X Signifum of Voter (if applicable)

NCSBE Report of Investigation

Case Number: 2016-142 Investigator(s): Joan Fleming

Document:

Negative voter interview attempts – 11/28/2016;

County(s):

Bladen County

Subject(s):

Biaden County Improvement Association PAC

Possible Absentee Ballot Fraud -11/08/2016 General Election

Attempts were made to locate and interview the below listed voters on 11/28/16, with negative results:

James Purdie - 270 Mt. Olive Road, Elizabethtown, NC. Not home; Spoke to female who stated she was his wife. Left card; No response.

Johnnie and Mattie Cromartie - 497 Mt. olive Road, Elizabethtown, NC. Unable to locate residence.

Reshad Whitted - 1103 Williams St, - Unable to locate residence.

Marcia Alston - 1108 Williams St. - Unable to locate residence.

Ella Mae Bowen – 509 South Lower St. – no one at home.

NCSBE Report of Investigation

Case Number: 2016-142 (Subfile A)

Investigator(s): Joan Fleming
Document: Summary
County(s): Bladen County

Subject(s): Various BCIA Volunteers:

Bladen County Improvement Association PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

A review of absentee ballot applications associated with "get-out-the-vote" efforts by volunteers associated with the Bladen County Improvement Association PAC (BCIA) during the November 2016 General Election, revealed numerous questionable absentee ballot applications wherein BCIA volunteers signed as one of the two witnesses. Those applications are described as follows:

- 1) Willie C. David, Jr.
 - This application appears to have been signed by Willie David's wife, Wanda J. David, and witnessed by Mary Johnson and Barbara Cogdell on 10/1/2016.
- . 2) Myra Lynn Lewis,

The signature on the application is noticeable different from Lewis' signature on her ballot request form, dated 9/7/2016: The signature of the voter on her absentee ballot application, dated 10/2/2016, most closely resembles that of witness Jessica Lewis, who is likely related to Myra Lewis. There is no indication of assistance being provided by Jessica Lewis. Mary Johnson is the second witness to this application.

- 3) Sally Mae Lloyd,
 - Voter registration lists voter's name as: Sally Mae Lloyd, but the signature on the absentee ballot application spells her first name "Sallie" in two places. Barbara Cogdell and Mary Johnson witnessed.
- Johnnie Cromartie,

The signature of Cromartie's ballot request form is very different from his signature on his absentee application. Lola Wooten is one of the two witnesses.

5) Betty Gilchrist Grimes,

Signature on request form compared to ballot application is very different. Barbara Cogdell and Mary Johnson are witnesses.

6) Adele Munn Council,

Signature on request form differs from that on the ballot application.

Barbara Cogdell and Mary Johnson are witnesses.

7) Kenneth Johnson, Signature on request form differs from signature on the ballot application. Many Johnson and Annie R. McCoy are wrinesses.

e incidents are considered separate instances of possible absentee ballot fraud apart from the stigative file (2016–142) which concerns ballots containing write in votes for candidate

Copies of relevant voter documents are attached to this report.

2016-142 (Subfile A)/Active

BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

| Environe must be signed by the voter and in the presence of time (2) witnesses for one notary opinion | Witnesses raise also signant provide their contribute address

WILLIE C DAVID JR 8197 NG 53 HWY W WHITE OAK, NC 28399 DEM - BLADEN COUNTY

WILLES DAVID R
POTIVIDE SOPEO
14/08/2016 - GENERAL

BOARD APPROVAL:

DCT 18 2016

VOTER'S CERTIFICATION

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I certify that less is the voter in making his or her ballot according to his delice instruction and/or I assisted the voter in signing this certificate because the voter is maddle to complete suctor sign this certification.

OCT 07 2016
Name of Person Assisting Voter (Hopelicable)
Address of Person Assisting Voter

**TORY

Signature of Person Assistants Voter

Date

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Egedify that I must less is years of age and an out disqualited by G.S. 103-226-348(4) or G.S. 163-227(61) to assist this voter in making or values ing the casing of his/his obscude ballot, and in my presence, the voter marked the enclosed ballot, or consed it to be marked in his/his presence according to his/her instruction, and should his absence implication and entitleste.

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her instruction, and signed this absence application and certificate.

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Signature of Notary Public

My Commission Explics

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ANKUAL REQUEST FOR STERNESS PHYSICAL DISABILITY.

Due to continued or expected illness or disability, i request that this application to request for abundae ballots for any other elections to be hild this calendar year which I am eligible to participate.

Exhibit 2.2.2.1



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ELADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

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Bladen County



ABSENTEE APPLICATION AND CERTIFICATE

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11/08/2016 GENERA

BOARD APPROVAL: OCT 18 2005

VOTER'S GERTIFICATION

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WITHESSES CERTIFICATION

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FEGUND PRINTING ON RUNOFF REQUEST

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ALTERNATIVE NOTARY WITNESS CERTIFICATION

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Exhibit 2.2.2.1

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BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

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SALLY MAE LLOYD 148 AVENUE AVE WHITE ORK, NO 28339

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BOARD APPROVATA OCT 18 2015

Date

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Address of Person Assessing Voter

2-P-10 2016

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Signature of Person Assisting Votes

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WITHESSES CERTIFICATION

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ANNUAL REQUEST FOR SIGNOESS PRESIDENCITY

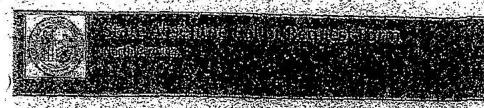
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Aladen County Board of Elections 19-01 1984 512 Clubbedwown, NC 28837

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Claden County Read of Elections R. D. BOX 517 Bizabethiows, NC 28237 Buche: Bio 862-6361 FAX: Glo 8:27120

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BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

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FRAUDULENTLY OR FALSELY COMPLETING THIS FORM I STEEL ONLY HUBER CHAPTER 163 OF THE NO. GENER

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SECOND PRIMARY OR RUNOFE REQUEST

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ANNUAL REQUEST FOR SICKNESS PRYSICAL DISABILITY.

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BC STATE BOARD OF ELECTIONS

P. O. BOX 27255

WALEGH, WC 27611-7255

PHONE 1-866-522-4723

Flections slice@nisble.gov

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Exhibit 2.2.2.1

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BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

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KENNETH JOHNSON 190 AVENUE AVE WHITE BAK NO 28399

DEM - BLADEN COUNTY



11.08/2016 — GENERAL

BOARDAPPROVAL:

DCT 18 2016

Date

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SECOND PRIMARY OF BUNDSERECUEST

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ANNUAL PROJECT FOR SICKNESS PHYSICAL DISABILITY

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NCSBE

Case # 2016-141
PATRIOTS FOR PROGRESS IE PAC
Possible Absentee Ballot Fraud – 11/08/2016
General Election

NCSBE Report of Investigation

Case Number: 2016-141 Investigator(s): Marshall Tutor

Document: Memo to File, November 29, 2016

County(s): Bladen County

Subject(s): Patriots for Progress IE PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On October 24, 2016, I received a telephone call from Horace Munn, Bladen County Improvement PAC, concerning two complaints turned in to the Bladen County Board of Elections. He felt the Bladen County Board of Elections was not handling the complaints in a timely fashion. Mr. Munn faxed me all documentation he had related to both matters in question.

One complaint was from Brenda M. Register, Mother of County Commissioner candidate, Ken Register. Mrs. Register complained that a "young Caucasian lady" came to her home and identified herself as working "with the Bladen County Board of Elections". The young lady has subsequently been identified by Mrs. Register as Caitlyn Croom by a Facebook posting. Ms. Croom asked Mrs. Register if she would like to fill out an absentee ballot request form. Mrs. Register told her she was not interested, and Ms. Croom left. Mrs. Register called the Bladen County Board of Elections and asked if the person was affiliated with them. Mrs. Register was informed by Director Shaw that the person in question was not associated with the Bladen County Board of Elections and probably was with the Bladen County Improvement PAC. Through our investigation we have learned that Ms. Croom was an employee of the Patriots for Progress IE PAC, headed by McCrae Dowless, until March 21st, 2016. Current President is Tabitha Joyce.

The other complaint was filed by Linda Johnson-Baldwin on October 4th, 2016, regarding a male by the name of "Josh", who we now know was Matthew Matthis. He came to her home and asked if she wanted to fill out an absentee ballot request form for the November, 2016 election. She did fill out request forms for herself and her twin sons, Evin and Devin Baldwin. Matthew Matthis has stated to this Investigator that he was working for McCrae Dowless. Matthew told Mrs. Johnson-Baldwin he would return and pick up the ballots after she completed them to show his "boss", "so he could get paid". On October 2nd, Matthew returned for the completed ballots and left with the understanding that he was to return them to Mrs. Johnson-Baldwin for her to return them to the Bladen County Board of Elections. Due to a family emergency, Matthew was not able to return the ballots to Mrs. Johnson-Baldwin in a timely fashion. Mrs. Johnson-Baldwin asked the Bladen Board of Elections to invalidate the mail-in ballots so she and her sons could vote on Election Day. Mrs. Johnson-Baldwin subsequently filed a complaint with the Bladen County Board of Elections related to this matter. She did receive the ballots back from Matthew at a later date. The ballots were never mailed to the Bladen County Board of Elections by Mrs. Johnson-Baldwin. She chose to vote in person.

I talked to Cynthia Shaw on October 24th, after receiving the information from Horace Munn. She said based on the "CC" on the mail-in absentee ballot request forms that they appeared to be from Caitlyn Croom, who worked or had worked for McCrae Dowless, who is affiliated with the Patriots for Progress IE PAC. I asked Cynthia to provide me a contact number for Mr. Dowless.

After receiving Mr. Dowless's contact number, 910-885-1121, I met with Chief Investigator Joan Fleming on October 24th, 2016 and we placed a call to Mr. Dowless. We asked about his association with Caitlyn Croom and "Josh". Mr. Dowless said he did not know "Josh" (Matthew Matthis), but did say Caitlyn Croom had worked for him. He promised to get a contact number for her. He called me on two separate occasions within days of October 24th, and told me he was still "trying" to find a contact number for her. Based on an interview of Caitlyn Croom and Matthew Matthis, on 11/16/2016, soon after being contacted by the SBE, Mr. Dowless called them and told them Investigators from the State Board of Elections had contacted him and would probably be contacting them. According to Caitlyn Croom and Matthew Matthis, Dowless coached them as to what to say when investigators interviewed them.

It should be noted that McCrae Dowless was able to telephonically contact Matthis and Croom after receiving contact from the SBE, but failed to ever provide the contact number to the SBE Office, though claiming by phone to investigator Tutor he was making every effort to locate a contact number.

4414 NC Day 53 W. Wifte Oak, X. 4414 Series on 866-4178

October 20, 2016

Bladen County Board of Elections 301 S. Cypress Street Elizabethtown

To whom it may concern,

Please accept this correspondence as my formal complaint.

On October 17, 2016, a young Caucasian lady who stated she from Ammon, North Carolina come by my home and stated she was with the "Bladen County Board of Flections" and she was doing absentee voting. She ask if I would like to go ahead and vote. Naturally, I said no, that I always voted at the polls. The young lady then proceeded to ask about the workers that were in my yard and ask if I thought that they might want to vote. One of those men was my husband and I told her no, that they were able to go to the polls to vote. The lady also ask if I knew if the roads had been repaired and were open to White Oak. I told her I did not know, but she need to be careful. She left. Following the conversation, I came in side and placed a call to Bladen County Board of Elections to inquire if the lady visitor was in fact a representative of Bladen County Board of Elections. Ms. Cynthia Shaw answered the phone. I shared with her that this young lady stated that she was with Bladen County Board of Elections and had just left my home trying to get me to vote an absentee ballot. I also said that I had told the lady no and why. I asked Ms. Shaw if they could collect absentee votes. Ms. Shaw answered "I knew better than that" and that the Bladen County Board of Elections does not send people out to collect absentee votes. Ms. Shaw also responded with it may have been the "Bladen Improvement Committee", I, myself was completely unaware of any changes in the voting procedure and also the ability to collect votes in this unethical manner. This young lady very plainly stated that "she was with the Bladen County Board of Elections". Also, I made Ms. Shaw aware that the lady stated she was going toward White Oak to collect absentee votes. Ms. Shaw answered by saying there was "nothing that the Bladen County Board of Elections could do, that this was done every year". I made it very clear that this was wrong and it looked like something could be done about it. Ms. Shaw said simply answered "no". This ended our phone conversation.

Any misrepresentation associated with an election should be taken seriously. This is not an accusation, it is a fact and should be diligently investigated. I certainly value Bladen County's elected officials and understand their hard work, decisions and responsibilities. I also value the fair and honest integrity of the process. I will ensure this complaint reaches the proper authorities for possible investigation and/or future complaints.

Sincerely,

OCT 20 2016

4:15Pm 1101

910-588-4685 = Home 916-872-4292 = Cell

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हेर क्या । बहुद्वा असे सार क्या किया



October 4, 2016

TO WHOM IT MAY CONCERN:

1, Linda F. Johnson-Baldwin answered my doorbell on September 24, 2016 at approximately 8:45 p.m. and invited Josh to come in. He told me who he was, what he needed, and called one of the names of one of the previous teachers that I supervised. I allow him to come in. He asked me if I would like to fill out an "absentee ballot form" for voting for the 2016 primary. He told me that if he had filled out 14 or 15 he would be paid \$120.00 each time. Me being the person that I am, trying to help young people in any possible way, told him yes. I filled out one for myself and for my one 40 year old daughter and two twenty-two year old sons. He informed me that I would receive the envelopes in the mail and that I need to fill them out and he would return for them. Within a couple of days I received three large envelopes in the mail. One each for my two sons and one for myself. My daughter did not receive one because she is not registered to vote in North Carolina. On Thursday, September 2, 2016 Josh came by to see if I had complete the ballots. I had not! I told my husband who answered the door, to tell him that I will have them ready by Sunday at approximately 4:00 p.m. On Sunday October 2, at approximately 4:00 Josh returned for the ballots. Thad forgotten to fill them out, therefore, I invited him to come in while I filled out the ballots. I made the statement that some of the categories aren't clear on the ballot. He told me that I could fill out any of them that I want to but he was just concerned with this particular and he then placed his finger on the ballot, and pointed out a name. I then informed him that I would choose the one that I want. Josh informed me that he had to sign the envelope, have a witness to sign and he also had to put postage stamps on them as well. I told him that I wanted to mail them myself, I made it perfectly clear that I wanted to mail them. He told me that he would return them on Monday at 12:00, that he had to show them to his boss. so that he could get paid for having them done. I arranged my business so that I would be home on Monday, October 3rd at 12:00 p.m.. I was home from Monday, October 3 at 10:45 a.m. until Tuesday morning at 8:30 a.m. I had to run an errand on Tuesday morning, but I returned by 10:40 a.m. No Josh, no call and no mail from him.

I would like for my ballot and sons' ballot to be disregarded and returned to us, so that we may vote in person and not by "absentee ballot." Please make sure that this request is granted to us as U S Citizens.

ACT 05 2016

TIME (P.M.)

Sincerely, Linda F. Johnson-Baldwin

NCSBE Report of Investigation

Case Number: 2016-141

Investigator(s): Joan Fleming/Marshall Tutor

Document: Summary of telcall to McCrae Dowless, 10/24/2016

County(s): Bladen County

Subject(s): Patriots for Progress IE PAC

Possible Absentee Ballot Fraud – 11/08/2016 General Election

On 10/24/2016, the writer and investigator Marshall Tutor telephonically contacted Leslie McCrae Dowless, Jr. DOB 956, residing at 212 Britt Street, Bladenboro, NC 28320, at telephone number 910-885-1121, concerning his possible association with an absentee ballot voter drive and two individuals identified as Caitlyn Croom and "Josh". After being advised of the identity of the interviewing officials, Dowless provided the following information:

Dowless was advised that the SBE had received a complaint involving a Bladen county voter who was solicited to apply for an absentee ballot by a "young man" who she stated took custody of her voted ballot. The ballot request form contained the initials "C.C." at the top. The voter identified the young man as "Josh."

Dowless said he did not know a "Josh", but did know Caitlyn Croom in as much as she had had worked for him in voter drive efforts. He speculated that "Josh" may have been someone who was working for Croom.

Dowless stated that Croom was supposed to be assisting voters by getting them to fill out absentee ballot request forms, which she would turn into Dowless. Dowless stated that he compensated Croom for using her vehicle and gas. Dowless advised that in order for him to keep track of which request forms were generated as a result of Croom's efforts, Croom, was to place her initials at the top of each of the absentee ballot request forms she collected.

Dowless stated that he was familiar with the above complaint from talking with Croom. According to Dowless, Croom told him that the voter filled out three request forms and signed for her sons and daughter. He stated that he had no knowledge as to what happened when the ballots arrived since he was not there. Dowless stated that there are instructions contained in the ballot envelope that explain what the law is concerning voting by absentee ballot. As such, Dowless did not know why the voter would "give the kid" their ballot.

Dowless denied having Croom's telephone number readily available, but he stated that he believed he could locate Croom's telephone number and he promised to get a contact number for her. Investigator Tutor was subsequently telephonically contacted by Dowless within days of the above contact, at which time Dowless advised Investigator Tutor that he was still "trying" to find a contact number for Croom.

2016-141/Active

4414 NC Hwy 53 W. White Oak, No. 300-366-4178

October 20, 2016

Bladen County Board of Elections 301 S. Cypress Street Elizabethtown

To whom it may concern,

Please accept this correspondence as my formal complaint.

On October 17, 2016, a young Caucasian lady who stated she from Ammon, North Carolina come by my home and stated she was with the "Bladen County Board of Elections" and she was doing absentee voting. She ask if I would like to go ahead and vote. Naturally, I said no, that I always voted at the polls. The young lady then proceeded to ask about the workers that were in my yard and ask if I thought that they might want to vote. One of those men was my husband and I told her no, that they were able to go to the polls to vote. The lady also ask if I knew if the roads had been repaired and were open to White Oak. I told her I did not know, but she need to be careful. She left. Following the conversation, I came in side and placed a call to Bladen County Board of Elections to inquire if the lady visitor was in fact a representative of Bladen County Board of Elections. Ms. Cynthia Shaw answered the phone. I shared with her that this young lady stated that she was with Bladen County Board of Elections and had just left my home trying to get me to vote an absentee ballot. I also said that I had told the lady no and why. I asked Ms. Shaw if they could collect absentee votes. Ms. Shaw answered "I knew better than that" and that the Bladen County Board of Elections does not send people out to collect absentee votes. Ms. Shaw also responded with it may have been the "Bladen Improvement Committee". I, myself was completely unaware of any changes in the voting procedure and also the ability to collect votes in this unethical manner. This young lady very plainly stated that "she was with the Bladen County Board of Elections". Also, I made Ms. Shaw aware that the lady stated she was going toward White Oak to collect absentee votes. Ms. Shaw answered by saying there was "nothing that the Bladen County Board of Elections could do, that this was done every year". I made it very clear that this was wrong and it looked like something could be done about it. Ms. Shaw said simply answered "no". This ended our phone conversation.

Any misrepresentation associated with an election should be taken seriously. This is not an accusation, it is a fact and should be diligently investigated. I certainly value Bladen County's elected officials and understand their hard work, decisions and responsibilities. I also value the fair and honest integrity of the process. I will ensure this complaint reaches the proper authorities for possible investigation and/or future complaints.

Sincerely,

OCT 20 2016

4:15Pm UPA

NCSBE Report of Investigation

Case Number: 2016-141

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Linda Johnson Baldwin, 11/15/2016

County(s):

Bladen County

Subject(s):

Patriots for Progress IE PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election

On 11/15/2016, Linda Johnson Baldwin DOB (1961, residing at

was contacted for an interview. After being advised of the identity of the interviewing officials and the purpose of the interview, Baldwin provided the following information:

Baldwin agreed to meet with the interviewing officials at the Bladen County Board of Elections office in Elizabethtown, NC. Baldwin is a retired school principal.

Baldwin stated that in September of 2016, a "young man" came by her house asking if she would like to vote by absentee ballot in the November 2016 general election. He told her that he was being paid to solicit voters to vote by absentee ballot and that he needed the money "to live." He said he was passing through her neighborhood going door to door. Baldwin noticed that there was a young female with him who was waiting in a car in Baldwin's driveway. Baldwin stated that she did not know either person well but recognized their faces possibly from seeing them at school. She was not certain, but believed he may have introduced himself as "Matthew" Baldwin agreed to request ballots for herself, her, and her daughter.

Baldwin was shown a copy of a typed complaint, dated October 4, 2016, addressed: "To whom it may concern" and electronically signed by Baldwin. She acknowledged that the complaint was authored by herself, and that she caused it to be sent to the Bladen County BOE. The complaint was stamped indicating receipt at the BOE on October 5, 2016. In her complaint, Baldwin described the above referenced meeting, but identified the "young man" as "Josh." Her complaint described what "Josh" told her, including details of how much he would be paid. He did not identify the person or persons who were paying him. It was noted that she stated that the young man first appeared at her house on September 24, 2016, at which time she agreed to fill out ballot request forms for herself, her two sons, and her daughter. Josh took those forms and a few days later she received the ballots in the mail, except for her daughter's, because her daughter was not registered to vote.

Baldwin's complaint alleges that "Josh" came back to her house on "Thursday, September 2, 2016," which was a typo and should have read "September 29, 2016." Baldwin asked her husband to inform "Josh" that they had not had time to fill the ballots out, and that he should come back on Sunday at about 4:00 PM. On Sunday, October 2, 2016, "Josh" returned to Baldwin's house, but she had forgotten about their appointment and the ballots were still not completed. She recalled that as she filled her ballot out, "Josh" pointed to a particular candidate's name who he seemed to be encouraging her to

vote for. She told him she would vote for who she wanted and completed her ballot. He then informed her that he had to sign her ballot envelope, have another witness sign, and also put postage on the envelope. Baldwin stated that her sons were present and voted their ballots. She believed that she may have given her telephone number to "Josh" and that he may have called her to coordinate the whole process. She did not have his telephone number.

Baldwin told "Josh" that she wanted to mail the ballots in herself. According to Baldwin, he insisted on taking the ballots because he needed to show them to his "boss" in order to get credit for them and be paid. Baldwin wanted to help him and reluctantly agreed to let him take her and her son's ballots. However, she made him promise to return them to her so that she could mail them herself. He promised to return the ballots to her by Monday, October 3, 2016 and he left with the ballots in his possession which were only witnessed by him at that time.

As of Tuesday morning, October 4, 2016, Baldwin had no contact with "Josh" and the ballots had not been returned. As a result, Baldwin became worried about what had happened to her and her son's ballots and decided to write and submit a complaint to the Bladen County BOE, asking the BOE to disregard the ballots if they appeared at the BOE because she and her sons had decided to vote inperson. Baldwin went to the Bladen County BOE accompanied by Michael Cogdale, and she recalled speaking with Bladen County BOE Director Cynthia Shaw, who stated she would "handle it."

Baldwin advised that days later, she and her husband were leaving their house when "Josh" and the young female (whose name she believed might be "Jessica") drove into her driveway. "Josh" had the ballots which he returned to Baldwin. He also gave Baldwin a written apology for taking so long to return them. Baldwin provided the interviewing officials with the original ballot container envelopes signed by herself and her sons, which were still in a sealed condition. She also provided the original apology note that "Josh" handed to her which was unsigned. The note stated that his mother had "totaled" her car in a serious crash and that is why he was late in returning the Baldwin's ballots.

It was noted that the witness names appearing on the ballot container envelopes was Matthew M. Matthis and Caitlyn Croom. Baldwin stated that she had never met the young man before but may have seen both him and the girl at school. She noted that he mentioned the name of a teacher that she previously supervised and that made her think that he knew who she was. She stated she thought his name was "Josh" and that in any case, she was very reluctant to use a name in her complaint because he was young and she didn't want him to get into any trouble. She said that when the ballots didn't comeback, she "couldn't think straight" because she was worried that she wouldn't get them back.

Photos of Matthew Matthis and Caitlyn Croom were shown to Baldwin, and she confirmed that the photo of Matthis was one and the same as the person she referred to as "Josh." She recognized Caitlyn Croom as the female who accompanied Matthis.

Baldwin has had no contact with Matthis or Croom since the day he returned her ballots. She stated that she did not put any postage on the ballot container envelopes and that the postage was on the envelopes when Matthis returned them.

Baldwin provided the following evidence items to the investigating officials:

- 1) Original handwritten apology statement from Matthis to Baldwin.
- 2) Original ballot container envelopes for herself and her two sons.
- 3) Original ballots (sealed inside the ballot container envelopes)

Copies of relevant voter documents (except for the ballots), Baldwin's complaint letter, and Matthis' apology letter, are attached to this report.

2016-141/Active

Exhibit 2.2.2.1

64 of 278



State Absentee Ballot Request Form

North Carolina

Bladen County Board of Elections P. O. BOX 512 Elizabethtown, NC 28337

PHONE: 918-862-6951 FAX: 910-862-7820 elections@bladenco.org

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES.

I am requesting an absentee ballot for the:		AL ELECTION	ral, Municipal, Special, etc)	on NOVEMBER	18 TH , 2016	12
Voter Information		,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,,				1
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8032 Old Fay, R	oad					
Garland	State NC	28441	Elizabe	PHown	NC 29	2441
Have you lived at this address for more than 30 days?	¥ Yes □	No	County of Residence	Previous Name (if applic	æble)	
If "No;" indicate the date of your move:	11		Bladen			
You must provide at least one identification number by NC Liverse on 10 Number	elow. (or se	e instructions)	Voter Registration Nors	Phone (optional) Em	ail (optional)	
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Absentee Voting Information				<u> </u>		
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elect one of the options below to qualify as a r Member of the Uniformed Services or Merchant M			ntly <u>absent</u> from county o	fresidence <u>or</u> an eligible s	pouse/dependent	
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urrent Address (Address where you are currently state	ioned or livi	ng overseas.)	Trensmit my ballot by: (Military/Overseas Vot		☐ Fax	☐ Email
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BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

ERAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS FELONY UNDER CHAPTER 163 OF THE NE GENERAL STATUTES

Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notary-public). Witnesses must also sign and provide their complete address.

Jan 1/2 May

No.	
NDA FRANCES JOHNSON-BA	LEMANNE
132 OLD FAYETTEVILLE RD	CDAAIIA
ADI AND MOSSILLE RD	
ARLAND, NC 28441	

EM - BLADEN COUNTY

BAIICE G005 LINDA FRANCES JOHNSON-BALDWIN PCT/VTD:P70/P70 Muni: 11/08/2016 - GENERAL

BOARD APPROVAL:

Date

VOTER'S CERTIFICATION =

I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated on this application, that all information represented is correct, and that I am entitled to vote in this election. If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated: (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.

I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are the casting of my absentee ballot.

X

1

Name correction (if applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (frapplicable)

I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification.

Name of Person Assisting Voter (if applicable)

Address of Person Assisting Voter

X

Signature of Person Assisting Voter

Date

NESSES CERTIFICATION

ify that I am at least 18 years of age and am not disqualified by G.S. 163-(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the g of his/her absentee ballot, and in my presence, the voter marked the sed ballot, or caused it to be marked in his/her presence according to his/her ction, and signed this absentee application and certificate.

MUCHED M MOTTH S

55 #1 Signature (Required)

50 7 Husy 2.42 N

55 #1 Street Address (Required)

zabeth town, NC 28337

ss #1 City, State, Zip (Required)

Score The 247 N

ss #2 Street Address (Required)

City, State, Zip (Required)

VC 28337

COND PRIMARY OR RUNOFE REQUEST

he event that a Second Primary (or Runoff Election) is called, with my nature below, I request that an absentee application and ballot be issued to and mailed to me at the address given below.

												Œ								

State of ______, County of _____

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot. On the ______ day of

, the voter:

Print Voter's Name

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absence application and certificate;

X
Signature of Notary Public

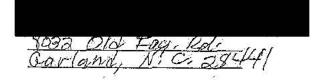
My Commission Expires

Sent

ANNUAL REQUEST FOR SICKNESS PHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absentee ballots for any other elections to be held this calendar year in which I am eligible to participate.

X





OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

Bladen County Board of Elections PO Box 512 Elizabethtown, NC 28337-0512

1180



State Absentee Ballot Request Form

North Carolina

Bladen County Board of Elections P. O. BOX 512 Elizabethtown, NC 28337

PHONE: 910-862-6951 FAX; 910-862-7820 elections@bladenco.org

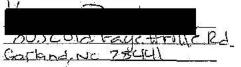
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BLADEN IOUT 2.2.1 ABSENTEE APPLICATION AND CERTIFICATE

ERAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A GLASSIFELONY LINDER CHAPTER 163 OF THE NC GENERAL STATUTES

presence of two (public). Witnesses their co	igned by the voter and in the) witnesses (or one notary must also sign and provide implete address
EVIN DEQUAN BALDWIN	RTIECTION
032 OLD FAYETTEVILLE RD	y that I am a duly qualified voter, registered as an affiliate of the political party indicated
ARLAND, NC 28441 on this applicatio	n, that all information represented is correct, and that I am entitled to vote in this election.
If I am an Unian	filiated voter voting in a primary election, I am voting in the Party Primary indicated:
EM - BLADEN COUNTY (DEM) (REP) or	(LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.
	entraga de la compansión
I certify that I am	making application for an absentee ballot, and that I marked the ballot enclosed herein (or
	me in my presence and according to my instructions) in the presence of two witnesses
ballot.	8 years of age and who are not disqualified by law to witness the casting of my absentee
	1 el 410
	1.07\2116
ACVIN DEQUAN BALDWIN	proquater
PCT/VTD:P70/P70 Minis	
11/08/2016 - GENERAL Name correction	
Ballot Gous Nevin Dequan Ballowin PCTIVID:P70/P70 11/08/2016 - GENERAL Name correction	n (if applicable).
CERTIFICA	ION OF PERSON ASSISTING VOTER (Mapplicable)
The state of the s	isted the your in marking his or her ballot according to his or her instruction and/or I
	in signing this certificate because the voter is unable to complete and/or sign this
certification.	an arguing his certificate because the voici is missile at complete and/or argums
Nome of Dames	Assisting Voter (if applicable) Address of Person Assisting Voter
<i>f</i> #3	a Assisting Added (it approache) Address of Letzon Vastrain Aout
Date X	
	Ison Assisting Voter Date
	3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3
NESSES CERTIFICATION	ALTERNATIVE NOTARY WITNESS: CERTIFICATION
withes as are radicing unless with escal by a notary rublic years. 2004	(Use his section conviewing surgius cerum are and application as a relativounds)
fy that I am at least 18 years of age and am not disqualified by G.S. 163-	
a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the	State of
of his/her absentee ballot, and in my presence, the voter marked the	
ed ballot, or caused it to be marked in his/her presence according to his/her	I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the
tion, and signed this absentee application and certificate.	casting of his/her absentee ballot. On the day of
lautin M Mauts	, 20 , the voter:
s #1 Signature (Required)	
MIHOU 247 N	
#1 Street Address (Required)	Print Voter's Name
Labeth fown NC 28337	A SPECIAL OF A SPE
s #1 City, State, Zip (Required)	personally appeared before me, was positively identified, and in my presence marked
T (Halland)	the enclosed ballot, or caused it to be marked in his or her presence according to his or
1 7 6	her instruction, and signed this absentee application and certificate.
DATUM UNDOWN	\mathbf{X}
s #2 Signature (Required)	Signature of Notary Public
CUT MALL ZUZ U	920
s #2 Street Address (Reguled)	
izabethlown NC 28337	
s #2 City, State, Zip (Required)	. ^ My Commission Expires
e an	Seat
AD PRIMARY OR RUNOFF REQUEST	
	ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY
e event that a Second Primary (or Runoff Election) is called, with my	Due to continued or expected illness or disability. I request that this application be a
iture below, I request that an absentee application and ballot be issued to	request for absentee ballots for any other elections to be held this calendar year in
nd mailed to me at the address given below.	which I am eligible to participate.
The state of the s	X
ture of Voter (if applicable)	Signature of Voter (if applicable)

Name and Complete Address







OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

Bladen County Board of Elections PO Box 512 Elizabethtown, NC 28337-0512

Exhibit 2.2.2.1



State Absentee Ballot Request Form

North Carolina

Bladen County Board of Elections P.O.BOX 512

Elizabethtown, NC 28337

PHONE: 910-862-6951 FAX: 910-862-7820 elections@bladenco.org

FRAUDULENTLY OR FALSELY COMPLET	ING THIS F	ORM IS A CLA	SS I FELONY UNDER CHA	PTER 163 OF THE	NC GENERA	L STATUTES.
am requesting an absentee ballot for the:		AL ELECTION Type (Primary, Ge	nerol, Municipal, Special, etc.)	on <u>NOVEN</u>	/IBER 8 TH , 2 Election Date	2016
oter Information						
St Name Baldwin Evin			Middle Name DeShau		Suff	Fix Fix
me Address (NC Residential Address.) L 1032 DIV Fay, Rd.			Mailing Address (if different than home address.)			
Garband	State	25 Code 44	City	TEOD by	Sta	te Zip Code
ave you lived at this address for more than 30 days? Yes No			County of Residence Previous Name (Fapplicable)			
"No," indicate the date of your move: You must provide at least one identification number i		n in about the wal	Vote d Parisher Sur	There (actions!)	E-nil (anti	in a li
C Cleanse or 10 Manuber SSN X X X -	10 57	a insuractions)	Voter Registration No.	Phone (optional)	Email (opti	(Orsal)
Absentee Voting Information						
Absentee Mailing Address (Where should the ballot be	prailed?)		City		State	Zip Code
If "Yes," what is the name and address of the hosp If requesting on absence ballot on be lequestor's Name	Organis et gylangram	u relative, list y	spouse Drother/sist	ter parent stepchild	grandpa mother-	No. of the Control of
Requestor's Address	5	install	son-in-law daughter-in Name of Corporation (fi			
edoizini a vita eza		ACESTICACO - NA - NA - 10	**************************************	abbounce regargae	i Cita(I)	
ity .	State	Zip Code	Requestor's Phone.	Requestor's Emi	rif	
or Military/Overseas Citizens Only ielect one of the options below to qualify as a real Member of the Uniformed Services or Merchant Management of the Uniformed Services or Merchant Management Address (Address where you are correctly statement Address (Address where you are correctly statement)	nilitary or o larine on acti rindefinitely	overseas voter ive duty and cur	ts.	fresidence <u>or</u> an efig	ible spouse/c	
ature of Voter (voter only)			Signature of Re	lative/Near G	uardian	(if applicable)
			X	- 00		34-3-1800-2-3-1-00-48-3

Exhibit 2.2.2.1 BLADEN COUNTY

ABSENTEE APPLICATION AND CERTIFICATE

FRAUDULENTLY OR FAESELY COMPLETING THIS FORMUS ASSILFELONY UNDER CHAPTER 463 OF THE NO GENERAL STATUTE Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notarypublic). Witnesses must also sign and provide their complete address. ELECTION S EVIN DESHAWN BALDWIN I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated 8032 OLD FAYETTEVILLE RD on this application, that all information represented is correct, and that I am entitled to vote in this election. GARLAND, NC 28441 If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated: (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballet. DEM - BLADEN COUNTY I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to wimess the casting of my absentec . ballot. 10/2/16 Ballot Goos EVIN DESHAWN BALDWIN PCT/VTD:P70/P70 Muni 11/08/2016 - GENERAL Name correction (if applicable) ERRIFICATION OF PERSON ASSISTING VOTER (Lapplicable I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I BOARD APPROVAL: assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification Name of Person Assisting Voter (if applicable) Address of Person Assisting Voter Date Signature of Person Assisting Voter Date WITNESSES: CERTIFICATION ALTERNATIVE NOTARY WITNESS CERTIFICATION certify that I am at least 18 years of age and am not disqualified by G.S. 163-State of County of 26.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the isting of his/her absentee ballot, and in my presence, the voter marked the I certify that I am at least 18 years of age and am not disqualified by G.S. 163uclosed ballot, or caused it to be marked in his/her presence according to his/her 226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the struction, and signed this absentee application and certificate. of his/her absentee ballot. On the Print Voter's Name personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absentee application and certificate. Signature of Notary Public #2 City, State, Zip (Required) My Commission Expires Seal

X

Signature of Voter (if applicable)

ECOND PRIMARY OR RUNOFF REQUEST

ne and mailed to me at the address given below.

in the event that a Second Primary (or Rumoff Election) is called with my

signature below, I request that an absentee application and ballot be issued to

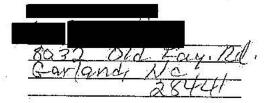
ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY.

Due to continued or expected illness or disability, I request that this application be a request for absentee ballots for any other elections to be held this calendar year in which I am eligible to participate.

X

Signature of Voter (if applicable)

72 of 278





OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

Bladen County Board of Elections PO Box 512 Elizabethtown, NC 28337-0512



October 4, 2016

TO WHOM IT MAY CONCERN:

I, Linda F. Johnson-Baldwin answered my doorbell on September 24, 2016 at approximately 8:45 p.m. and invited Josh to come in. He told me who he was, what he needed, and called one of the names of one of the previous teachers that I supervised. I allow him to come in. He asked me if I would like to fill out an "absentee ballot form" for voting for the 2016 primary. He told me that if he had filled out 14 or 15 he would be paid \$120.00 each time. Me being the person that I am, trying to help young people in any possible way, told him yes. I filled out one for myself and for my one 40 year old daughter and two twenty-two year old sons. He informed me that I would receive the envelopes in the mail and that I need to fill them out and he would return for them. Within a couple of days I received three large envelopes in the mail. One each for my two sons and one for myself. My daughter did not receive one because she is not registered to vote in North Carolina. On Thursday, September 2, 2016 Josh came by to see if I had complete the ballots. I had not! I told my husband who answered the door, to tell him that I will have them ready by Sunday at approximately 4:00 p.m. On Sunday October 2, at approximately 4:00 Josh returned for the ballots. I had forgotten to fill them out, therefore, I invited him to come in while I filled out the ballots. I made the statement that some of the categories aren't clear on the ballot. He told me that I could fill out any of them that I want to but he was just concerned with this particular and he then placed his finger on the ballot, and pointed out a name. I then informed him that I would choose the one that I want. Josh informed me that he had to sign the envelope, have a witness to sign and he also had to put postage stamps on them as well. I told him that I wanted to mail them myself, I made it perfectly clear that I wanted to mail them. He told me that he would return them on Monday at 12:00, that he had to show them to his boss so that he could get paid for having them done. I arranged my business so that I would be home on Monday. October 3rd at 12:00 p.m., I was home from Monday. October 3 at 10:45 a.m. until Tuesday morning at 8:30 a.m. I had to run an errand on Tuesday morning, but I returned by 10:40 a.m. No Josh, no call and no mail from him.

I would like for my ballot and sons' ballot to be disregarded and returned to us, so that we may vote in person and not by "absentee ballot." Please make sure that this request is granted to us as U S Citizens.

Sincerely, Linda F. Johnson-Baldwin

Arte a marin and masse, or all	
(Dear Mrs. Baldwin,
· · · · · · · · · · · · · · · · · · ·	I'm sorry that these ballots weren't
7=	returned on the day we discussed. I had
	a lot going on: My mother totalled her car
	In a 4 vehicle collision so the ballots were
	the least of my worries since they aren't
-15/	Hime critical as long as mailed in before
Clynthice	the 8th of November I have come by your
	Thouse a few times to see if you were home,
	but got no response at either door, My sincerest
***	apologies go out to you for not returning them
	on time. Sorry, also, that it was a few days
<i>(* .</i> —	late. I never had any intentions to withhold
1	your vote, nor would I want to tamper with your
A-75-400-1-10-1-10-1-10-1-10-1-10-1-10-1-10	ballot by mailing it in myself. It is with the
	sincerety that I teligrathese apologies.
	I would never do wrong to someone like yourself
	as I wouldn't expect that behavior from an
*	lesteemed woman like you.

	Once Again,
	My sincerest apologies to you and
	your family,
* <u>*</u>	
(,	
ari	

NCSBE Report of Investigation

Case Number: 2016-141

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Interview of Heather Register, 11/15/2016

County(s):

Bladen County

Subject(s):

Patriots for Progress IE PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election;

On 11/15/2016, He	ather Register, DOB /1969,	residing at	
	was contacted at her resid	lence by NCSBE Investigator:	s Joan Fleming and
Marshall Tutor. Als	o present for the interview was I	Register's husband, Timothy	Register, DOB
1961,	and her son, Michael Re	gister, DOB 1996,	After being
advised of the iden	tity of the interviewing officials a	nd the purpose of the contain	ct, Register provided the
following informati	oń:		

Register confirmed that she sent an email to the Bladen County Board of Election (BOE) on November 9, 2016, in which she advised that she, her husband, and her son had applied for absentee ballots though "a couple of my son's friends" and, although they never received the ballots, they were told that the voted ballots were received by the Bladen County BOE on October 6, 2016. Her email noted that when she went to vote in-person on Election Day, she was told that she had already voted.

Register identified the above referenced "friends" as Caitlyn Croom and Matthew Matthis. She stated that Croom is the ex-girlfriend of her son, Michael, and that Croom is presently dating Matthis. She recalled that Croom and Matthis came to her house and explained that they were being paid for "helping people" to vote absentee. Register recalled that Croom and Matthis carried a "metal clipboard" that contained the forms and that they just "showed up" at the Register's house. She recalled that they stated they were working for someone who was paying them \$20.00 either "per ballot" or for a certain number of ballots. Register did not recall if they ever mentioned the name of the person who was paying them. Croom and Matthis told the Registers that they should let them know when the ballots arrived at their house, which they expected would be "Friday", and Croom and Matthis would come back and pick them up. They did not say how the ballots would be transmitted to the Bladen County BOE.

Heather and Timothy Register were shown copies of their absentee ballot request forms, which were signed on September 22, 2016, and they confirmed that the signatures on those forms were theirs. She stated the printing on the forms was not theirs and was possibly written by Matthis. Register stated the signature on Michael Register's form was not authentic. She noted that her son, Michael, was working in Ohio from approximately August 5, 2016 to October 30, 2016, and therefore Michael could not have signed his form on September 22, 2016 as indicated.

The Register's reviewed the signatures on their corresponding ballot container envelopes and each stated that the signatures were not theirs. Michael Register confirmed that he was still out of town in

Ohio on the date his ballot envelope was signed, October 1, 2016. Timothy Register stated the signature on his ballot envelope was "not even close" to his real signature and Heather Register stated the same noting that the signature appearing on the envelope was "awful." Heather and Timothy further noted that they never received the ballots and therefore could not have signed the ballot container envelopes. All three ballot container envelopes were witnessed by Croom and Matthis.

Register stated that when the ballots did not arrive, she attributed it to "slow mail" and did not contact Croom or Matthis to ask any questions. Instead, she went to vote on Election Day, and, as stated above, she was told that the executed absentee ballots had already arrived at the Bladen County BOE. She recalled that the poll worker assisting her called another poil worker over to review the poll book. They then called the Bladen County BOE and were told the ballots were received on October 6, 2016. Register called her husband and told him that all three of them could not vote (Michael Register was back in NC as of 10/30/2016) because they had "already voted."

Register was adamant that she and her husband had not voted, because they had never received their ballots. She commented that she "hoped they voted for my choices." Register was furnished with a telephone number for the State Board by the Bladen County BOE. She spoke with Sheryl Harris who told her the State Board would investigate. Two days later, on November 10, 2016, the local news media attempted to contact Register about her experience. Register re-contacted Harris for advice and was told that the State Board was investigating but could not offer Register advice concerning the press inquiry. Register stated she also contacted "Charles Ray Martin."

Soon after Election Day, Register received an "affidavit" from Gabriella Fallon at "HVIT law." She stated she "did not fill it out" and forwarded it to Harris at the State Board instead. She advised she had not spoken to Harris since the previous week when she reported the media contact.

Register stated she did not have a telephone number for Matthis and Croom and that they communicated by Facebook. She described the location where they reside.

Register stated that she feels that it is "not fair" that someone else "took my vote."

Timothy Register stated that he dislikes the idea that someone voted in his place and he was also concerned about the possibility that their mail may have been stolen.

Michael Register reviewed a voter registration form, dated May 27, 2014, which he said contained his authentic signature. He stated the registration form dated September 23, 2016 was not signed by him and that he was still in Ohio on that date. He stated that he wanted to vote "for himself" and would have been "mad" if he was turned away like his mother was. He stated he considered voting in Ohio, but was not legally registered there.

Documents discussed with the Registers are attached to this report.

[Investigator's Note: Register submitted a signed affidavit to the Bladen County BOE, dated November 18, 2016. A copy of that affidavit is also attached. It is noted that Register's affidavit was later

submitted as an attachment to an election protest submitted to the Bladen County BOE by Leslie McCrae Dowless, Jr.)

2016-141/Active

Cynthia Shaw

From:

Heather Register hregister@jfcmelons.com>

Sent:

Wednesday, November 09, 2016 11:23 AM

To:

elections@bladenco.org

Cc:

Sen. Brent Jackson

Subject:

Absentee

We had a couple of my sons friends stop by asking if we wanted to do an absentee ballot back in late September/early October. They said the ballot would come to our house and we could fill it out and send it in without having to go to the polls. We never got the ballots. When I went to vote last night they told me that I had already voted, they had received my, my sons and my husband's absentee ballots on October 6th. They did not allow us to vote. We never got the ballots nor filled them out. We are in Bladen County. Our address is 1878 Braxton Edge Road, Fayetteville, NC 28312. My husband's name is Timothy S. Register and my sons name is Michael B. Register.

Thank you,

Heather Register Food Safety Coordinator Jackson Farming Company 910-567-2202 www.ffcmelons.com







Grower/Packer/Shipper of Watermelons, Athena Cantaloupes, Eastern Honeydews, Specialty Melons, Strawberries, Pumpkins, Broccoli and Sweet Potatoes

AFFIDAVIT

North Carolina

County of Bladen

Weather Register, appearing before the undersigned

Name of principal

notary and being duly sworn, says that:

- My name is Heather Register and I am a registered voter in Bladen County, North Carolina.
- I reside at 1878 Braxton Edge Road, Payeneville, NC 28312, with my husband,
 Timothy Register, and my son, Michael Register.
- In approximately late September/early October, my son's friend, Cairlyn Croom arrived at our home accompanied by a friend named Matthew.
- 4. Califyn and Marthaw advised my family and me that if we filed absentee request forms, we would receive absentee ballots in our mail and we could vote by mail without having to go to the polls to cast our votes.
- 5. Cairlyn and Matthew also mentioned they could receive payment in the amount of 520 if they secured a certain number of absentee ballot request forms from voters; they did not share information on who would be paying them for this work.
- My family and I completed our absence request forms with Cartlyn and Matthew.
 However, the absence ballots never arrived at our home.
- 7. On November 8, 2016, I went to my polling place to cast my vote.

- When I enrived, the poll workers informed me I could not vote because my absence ballot had already been cast on October 6, 2016.
- Additionally, the poll workers advised me that absence ballots had also been received for my husband and son.
- 10. I explained that the absence ballots never arrived at our home and we had not submitted those absences ourselves.
- I was told I could not vote and was provided file number for the Bladen County Board of Elections.
- 12. I informed the Bladen County Board of Elections of the absence ballots that were submitted in my family's name without our knowledge or consent.
- 13. Neither my family nor I voted provisionally.

Leather Kegyoter

Syons to (or affirmed) and subscribed before me this the 18 day of November, 2016

(Official Seal)

Citaries W. Siska, d., Notary Public Cumberland County, N.C. My Commission Basires, 2545 Official Signature of Notary

That is the Tr. Notary Public

Charles W. Siska IV. Notary Public Notary's produced or typed name

My commission expires: 12/5/2=

AFFIDAVIT

North Carolina

County of Bladen

Heather Register, appearing before the undersigned

Name of principal

notary and being duly swom, says that:

- My name is Heather Register and I am a registered voter in Bladen County, North Carolina.
- I reside at 1878 Braxton Edge Road, Fayetteville, NC 28312, with my husband.
 Timothy Register, and my son, Michael Register.
- In approximately late September/early October, my son's friend. Cairlyn Croom arrived at our home accompanied by a friend named Matthew.
- 4. Califyn and Matthew advised my family and me that if we filed absentee request forms, we would receive absentee ballots in our mail and we could vote by mail without having to go to the polls to cast our votes.
- 5. Cairlyn and Matthew also mentioned they could receive payment in the amount of \$20 if they secured a certain number of absence ballor request forms from voters; they did not share information on who would be paying them for this work.
- My family and I completed our absence request forms with Caitlyn and Matthew.
 However, the absence ballots never arrived at our home.
- 7. On November 8, 2016, I went to my polling place to cast my vote.

- 8. When I arrived, the poll workers informed me I could not vote because my absence ballot had already been cast on October 6. 2016.
- 9. Additionally, the poll workers advised me that absentee ballots had also been received for my husband and son.
- 10. I explained that the absentee ballots never arrived at our home and we had not submitted those absentees ourselves.
- 11. I was told I could not vote and was provided the number for the Bladen County Board of Elections.
- 12. I informed the Bladen County Board of Elections of the absentee ballots that were submitted in my family's name without our knowledge or consent,
- 13. Neither my family nor I voted provisionally.

Sworn to (or affirmed) and subscribed before me this the 18 day of November.

(Official Seal)

Charles W. Sista, Jr. Notary Public Comberland County, N.C. My Commission Expires 124

20__

Charles W. Siska IV Notary Public Notary's printed or typed name

My commission expires: 12/5/25



State Absentee Ballot Request Form North Carolina

Bladen County Board of Elections P.O. BOX 512 Elizabethtown, NC 28337

PHONE: 910-862-6951 FAX: 910-852-7820

FRALIDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLAS	SS I FELONY UNDER CHAPTER 163 OF THE	NC GENERAL STATUTES.
I am requesting an absentee ballot for the: GENERAL ELECTION GENERAL ELECTION	erë, Modepal, Spedal, etc.)	MBER 8 TH , 2016 Election Date
Voter Information		
tast Name Register Heather	Widdle Name	Suffix Deta of Dista
Home Address (NC Residential Address.) 1878 Braxton Flac Rd	Malling Addross (if different Han home add	
Fave-Hville NC 28317	diy 500 20	State Zip Code
Have you lived at this address for more than 30 days? #Yes No If "No," indicate the date of your move:	County of Residence Previous Name []	
You must provide at least one identification number below, for see instructions] is true transfer in the second transfer in the second transfer is the second transfer in the second transfer in the second transfer is the second transfer in the second tr	Voter Registration No. Phone (optional)	Email (optional).
X		<u> </u>
Absentee Voting Information		
Absentee Malling Address (Where should the ballot be mailed?) Sarvy GS Gbove	City	State Zip Code
If voter is registered as Unaffillated and requesting a ballot for a partisan primary, Democratic Republican If voter is a patient in a hospital, clinic, musting home or rest home, please indicate If "Yes," what is the name and address of the hospital or facility:	☐ Ubertərlən	□ Non-partisan your ballot. □ Yes □ No
	spouse brother/sister parent	grandparent stepparent mother-in-law stepparent
Requestor's Address	Name of Corporation (If appointed legal gua	
City State Zip Code	Requestor's Phone Requestor's Em	all.
For Military/Overseas Citizens Only (may only be signed Select one of the options below to qualify as a military or overseas voter: Member of the Uniformed Services or Merchant Marine on active duty and curr		
U.S. citizen residing outside the U.S. temporarily or indefinitely Current Address (Address where you are currently stationed or living overseas.)	Transmit my ballot by: (Military/Overseas Voters Only) Fax Number or Email Address	Mall Fax Email
Signature of Voter (voter only)	Signature of Relative/Near 6	fuldenting of the intention

BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS: ASSI FELONY UNDER CHARTER 183 OF THE NO GENERAL STATUTES

> Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notarypublic). Witnesses must also sign and provide their complete address.



NACESCRIPTION OF PROPERTY OF P HEATHER ANN REGISTER 1878 BRAXTON EDGE RD FAYETTEVILLE, NC 28312.

REP - BLADEN COUNTY



HEATHER ANN REGISTER PCT/VTD:P70/P70 Muni: 11/08/2016 - GENERAL

 4 - Mark Same Arts
APPROVAL:

Date

I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated on this application, that all information represented is correct, and that I am entitled to vote in this election. If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated: (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.

I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to writtess the easing of my absence

X_{γ}				
	1-30-1-1	(Rrounce	U	-

Name correction (if applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (if applicable) 7 (4)

I certify that I assisted the voter in marking his or her beliet according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification.

Name of	Person./	Assisting.	Voler	(it app	licable,

Address of Person Assisting Voter

Signature of Person Assisting Voter

WITNESSES! CERTIFICATION

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226,3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her instruction, and signed this absence application and certificate.

Witness #1 Signature Required)

Witness #1 Street Address (Required) =lizabeth docum

tness #1 City, State, Zip (Required)

Address (Required)

SECOND PRIMARY OR RUNOFF REQUEST

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absence application and ballot be issued to me and mailed to me at the address given below.

Signature of Voter (if applicable)

LUTCOEX ALTERNATIVE NOTARY WITNESS GERTIFICATION (Use this section only if inthessing this certific

State of County of

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-2263(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the of his/her absentce ballot_ On

Print Voter's Namo

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absentee application and certificate.

Signature of Notary Public

My Commission Expires

Seal

ANNUAL REQUEST FOR SICKNESSIPHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absence ballots for any other elections to be held this calendar year in which I am eligible to participate.

X

Signature of Voter (if applicable)

Exhibit 2.2.2.1



State Absentee Ballot Request Form

Bladen County Board of Elections P. O. BOX 512 Elizabethtown, NC 28337

PHONE: 910-862-6951 FAX: 910-862-7820 elections@bladenco.org .

FRAUDULENTLY OR FALSELY COMPLET	ING THIS FOR	M IS A CLAS	S I FELONY UNDER CH			
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Exhibit 2.2.2.1

BLADEN COUNTY absentee application and certificate

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES



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SECOND PRIMARY OR FUNDER REQUEST

Witness #2 Signature (Required) COT Hay

Sizaby Anders B Fitness #2 City, State, Zip (Required)

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absentee application and ballot be issued to me and mailed to me at the address given below.

ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY

My Commission Expires

Due to continued or expected illness or disability, I request that this application be a request for absenter ballots for any other elections to be held this calendar year in which I am eligible to participate.

Secil

X

Exhibit 2.2.2.1

88 of 278



State Absentee Ballot Request Form

Bladen County Board of Elections P.O. 80X512 Elizabethiown, NC 28337

PHONE: 910-862-6951 FAX: 910-862-7820 elections @biadenco.org

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLA	55) Felony under Cha	PTER 163 OF THE N	IC GENERAL S	atutes.
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ture of Voter (voter only) 9-22-16	Signature of Re	eative/Near G	uarqıan (if	applicable)
				Date

BLADEN COUNTY ABSENTEE APPLICATION AND CERTIFICATE

FRAUDULENTEY OR FALSELY COMPLETING THIS FORM IS A CLASS LEELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTE

Envelope must be signed by the voter and in the presence of two (2) witnesses (or one notary-public). Witnesses must also sign and provide their complete address.

VOTER'S CERTIFICATION



MICHAEL BENJAMIN REGISTER 1878 BRAXTON EDGE RD FAYETTEVILLE, NC 28312

DEM - BLADEN COUNTY



I do hereby certify that I am a duly qualified voter, registered as an affiliate of the political party indicated
on this application, that all information represented is correct, and that I am entitled to vote in this election.
If I am an Unaffiliated voter voting in a primary election, I am voting in the Party Primary indicated (DEM) (REP) or (LIB). If the party indicated is (UNA), I am voting a nonpartisan ballot.
I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or

I certify that I am making application for an absentee ballot, and that I marked the ballot enclosed herein (or it was marked for me in my presence and according to my instructions) in the presence of two witnesses who are at least 18 years of age and who are not disqualified by law to witness the casting of my absentee ballot.

X Sign

Name correction (if applicable)

CERTIFICATION OF PERSON ASSISTING VOTER (If applicable)

I certify that I assisted the voter in marking his or her ballot according to his or her instruction and/or I assisted the voter in signing this certificate because the voter is unable to complete and/or sign this certification.

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Signature of Person Assisting Voter	(17:100) Date	_

WITNESSES: CERTIFICATION

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot, and in my presence, the voter marked the enclosed ballot, or caused it to be marked in his/her presence according to his/her instruction, and signed this absentee application and certificate.

X Mitthew M. Wallet
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Witness #2 Street Address (Required)
Elitabethtown, NC 28337
Witness#2 City, State, Zip (Required)

ALTERNATIVE NOTARY WITNESS CERTIFICATION

I certify that I am at least 18 years of age and am not disqualified by G.S. 163-2263(a)(4) or G.S. 163-237(b1) to assist this voter in marking or witnessing the casting of his/her absentee ballot. On the ______ day of _____, 20_____, the voter:

Print Voter's Name

personally appeared before me, was positively identified, and in my presence, marked the enclosed ballot, or caused it to be marked in his or her presence according to his or her instruction, and signed this absence application and certificate.

X
Signature of Notary Public

My Commission Expires

X

Seal

SECOND PRIMARY OR RUNOFF REQUEST

In the event that a Second Primary (or Runoff Election) is called, with my signature below, I request that an absentee application and ballot be issued to me and mailed to me at the address given below.

ANNUAL REQUEST FOR SICKNESS/PHYSICAL DISABILITY

Due to continued or expected illness or disability, I request that this application be a request for absentee ballots for any other elections to be held this calendar year in which I am eligible to participate.

NCSBE Report of Investigation

Case Number: 2016-141

Investigator(s): Joan Fleming/Marshall Tutor

Document: Interview of Caitlyn Croom and Matthew Matthis, 11/16/2016

County(s): Bladen County

Subject(s): Patriots for Progress IE PAC

Possible Absentee Ballot Fraud - 11/08/2016 General Election;

On 11/16/2016, Cartlyn Croom DOB (1996, and Matthew Matthis, DOB) (1994, residing at were contacted at their residence by NCSBE Investigators Joan Fleming and Marshall Tutor. After being advised of the identity of the interviewing officials and the purpose of the contact, Croom and Matthis provided the following information:

[Investigator's Note: Matthis furnished most of the information with Croom adding to it at various points during the interview. This interview was also recorded.]

Matthis is a high school graduate of Clinton High School. He has completed two semesters of college at a community college. Croom is a graduate of East Bladen High School. Both were unemployed at the time of this interview.

Croom and Matthis stated that prior to the November 8, 2016, they both worked together on a get-out-the-vote effort for a political PAC identified as "Patriots for Progress IE (PFP)." Croom advised that she was hired to work for PFP and Matthis, who is her boyfriend, assisted her with her efforts to contact voters in Bladen County.

Croom first became employed with PFP through a friend, who she identified as "Kelly." Kelly was working for an individual identified as McCrae Dowless who was paying Kelly to go house to house, contacting voters, for the purpose of assisting them in requesting and completing absentee ballots for the November 8, 2016 General Election. Dowless was paying Kelly for her work, and Croom and Matthis were interested in also being hired by Dowless because they were unemployed at that time. Croom and Matthis recalled that Kelly stopped working for Dowless shortly after they started. It was their understanding that Dowless also employed others, and Matthis recalled seeing two other female employees on one occasion when he and Croom were meeting with Dowless. They did not speak with or meet those employees and they could not identify them by name.

Dowless explained that he wanted Croom and Matthis to concentrate on finding voters in District 3, but he was interested in attracting voters from other districts as well. Dowless showed them the voter registration and absentee ballot requests forms that they would be presenting to voters to fill out and sign. Dowless stated that there were many people who would not otherwise vote if they were not encouraged to vote absentee. He told Croom and Matthis to encourage the voters to take advantage of using an absentee ballot by saying they could "vote in the comfort of their own home." Dowless was

running for Soil and Water Commissioner, a non-partisan office, and he wanted them to "push" certain Republican candidates. He was particularly interested in having Croom and Matthis "push" votes for Ray Britt and Ashley Trivette who were candidates for Bladen County Commissioner. In return for their work, Croom and Matthis would be paid for their gas and time which they stated worked out to approximately \$250.00 per week.

Croom and Matthis were asked to bring Dowless 20 absentee requests per week and they were always paid in cash by Dowless. They would meet with Dowless at his "office" which was located in Dublin, NC in a storefront called "Dublin Aladdin Sweepstakes" which was in a small strip shopping center. Matthis stated it was located near a Dollar General store and a pizza shop. When presented with the request forms, Dowless would write "CC" at the top of each one to signify that he received them from Croom. He typically did not pay them when they turned in the forms, but rather at a later time when they would meet at his office, which was typically every Friday. However, he sometimes met and paid them in Elizabethtown if it was more convenient. Croom stated that she received some receipts from Dowless which were possibly still in her car. Matthis and Croom both stated that they were paid for their gas and time to collect absentee ballot request forms and denied being paid for a quota and/or for delivering completed ballots to Dowless. [Investigator's Note: Later in the interview, Matthis and Croom corrected this statement to advise that Dowless was in fact paying them for a quota of request forms and ballots and that they were required to bring him both the request form and the ballot in order to be paid.]

According to Matthis, Dowless provided Matthis and Croom with an "inactive voters list" which they used to locate prospective voters. Matthis stated that he used a notebook to keep track of their work. Mathis and Croom would go to the voter's residence and ask them to fill out an absentee ballot request form. (Matthis demonstrated the typical pitch he would make to the voters for the interviewing officials.) After collecting approximately 20 request forms, Matthis would contact Dowless by phone and they would arrange to meet Dowless to give him the forms. Dowless told them that he would mail the request forms to the Bladen County Board of Elections (BOE). Matthis would provide his telephone number to the voter so that the voter could inform him when the ballot arrived at their residence. Croom and Matthis would then return to the voter's residence after the voter received their absentee ballot and return envelope. They would tell the voter to "vote for whoever they wanted" and then seal their ballot in the return envelope. The voter would sign the ballot container envelope and Croom and Matthis would witness the voter's signature. The voter would then be told to put their ballot envelope in the mail. However, Matthis admitted that there were occasions when he and Croom would mail the ballot envelope for the voter as a convenience for them.

Matthis stated that he estimated that he and Croom signed up around 150 voters. He stated that the majority of the voters were from his district and Elizabethtown. Many of the voters were people that Matthis and Croom knew and he recalled that at first, it was easy for them to sign up 20 voters a week.

Matthis and Croom were asked to describe their dealings with voters Heather Register, Timothy S.

Register, and Michael Register of Michael Register was Croom's ex-boyfriend and the Registers reside approximately three miles from Croom's residence.

Matthis and Croom stated they visited Heather and Timothy Register at their residence and they confirmed that the date on the Register's Absentee Ballot Request forms, which was 9/22/2016, would have been the date of that visit. Heather and Timothy Register agreed to vote by absentee ballot and allowed Matthis to fill out their request forms which they then signed. Croom and Matthis advised that Michael Register was not present but had met them earlier that day in a Walmart parking lot where he (Michael) signed his request form. Matthis acknowledged that the printing on Michael's request form was done by Matthis. The "CC" on the top right corner of Michael's request form was written by Croom. They then clipped the Register's paperwork together with other request forms and turned them into Dowless, after which they believe Dowless sent the requests to the BOE.

Croom and Matthis stated they returned to the Register's residence after the ballots arrived at which time the Register's signed their ballot envelopes. Heather Register signed her ballot envelope in her driveway on 10/04/2016, and Croom and Matthis signed as witnesses. Timothy Register signed "on the steps" of his residence on 10/04/2016, after which Croom and Matthis signed his ballot envelope as witnesses. According to Matthis and Croom, Michael Register signed his ballot return envelope in the front yard of his residence, dated his form 10/01/2016, and Croom and Matthis signed as witnesses.

After providing the above information, Matthis and Croom were confronted by the interviewing officials with information that Michael Register was not physically in the state of North Carolina at the time they claim he signed his forms and therefore could not have signed his request form or ballot container envelope as described by Matthis and Croom. The interviewing officials did not reveal where Michael Register was residing at that time, but noted that Michael's ballot request form showed a "mailing address" that is known to be the residence address of Croom and Matthis. They were asked why Michael Register would request his ballot to be sent to their residence.

Matthis responded that Michael Register was out of state working in Ohio at the time the documents. were filled out and signed, and he would not be returning to North Carolina until late October. Matthis stated that he (Matthis) completed and signed Michael's name on a new voter registration form, an absentee ballot request form, and also voted his ballot for him. Matthis and Croom thereafter signed the ballot envelope as if they had witnessed Michael sign it. However, Matthis and Croom stated they did so with Michael's full knowledge and consent, and voted Michael's ballot per his wishes. Matthis advised that he, Croom, and Michael Register are all friends in spite of Croom's previous relationship with Michael. In an effort to sign up more voters, Matthis texted Michael to ask if he would like to vote absentee. Michael replied that he would and gave permission in text messages for Matthis to obtain an absentee ballot which would be mailed to Matthis and Croom's residence address. Matthis stated that he still had the text messages between himself and Michael saved on his cellphone. [Investigators Note: Matthis later produced the above referenced text messages, which appeared to corroborate Matthis' statement concerning Michael Register. It was noted that in the process of giving consent, Michael furnished Matthis with identity information necessary for Matthis to complete Michael's forms. This included Michael's date of birth and social security numbers, both of which were furnished in a text message from Michael to Matthis.]

Matthis and Croom were informed that it is against North Carolina election laws to sign a voter's name on registration forms, ballot request forms, and to execute a ballot and sign a voter's name on the ballot

container envelope and that having the voter's consent, if that occurred, would still not make it legal for them to do so. They were further informed that falsely signing the witness signature lines on the ballot container was also illegal.

Matthis and Croom were then confronted with information in a complaint that was submitted to the Bladen County Board of Elections by Heather Register in an email dated 11/09/2016. In that email, Mrs. Register stated the following:

"We had a couple of my son's friends stop by asking if we wanted to do an absentee ballot back in late September/early October. They said the ballot would come to our house and we could fill it out and send it in without having to go to the polls. We never got the ballots. When I went to vote last night they told me that I had already voted, they had received my, my sons (sic), and my husband's absentee ballots on October 6th. They did not allow us to vote. We never got the ballots nor filled them out. We are in Bladen County. Our address is My husband's name is Timothy S. Register and my sons (sic) name is Michael B. Register."

The above email was signed by Heather Register, Food Safety Coordinator, Jackson Farming Company,

Matthis and Croom were informed that that all three Register's had been interviewed and that all three stated that the signatures on the ballot container envelopes were not theirs and that they had not voted any absentee ballots.

At the above point in the interview, Matthis responded that he wished to clear up some things he and Croom had said. He stated that he and Croom had "wasted your (the investigator's) time" and that they had been providing "half-truths." Matthis stated that he stood by his statement that Michael Register knew and consented to Croom and himself obtaining an absentee ballot and voting it on his behalf. However, he explained that his and Croom's motivation for doing so was that he and Croom were in fact. being paid by Dowless to obtain both ballot request forms and the completed ballots, both of which they were required to bring to Dowless in order to get paid. Dowless paid them half of the money due to them, \$112.50, for every 20 absentee request forms they brought to him and the remaining \$112.50 when they produced the signed and sealed ballot container envelopes. Dowless instructed them to push certain candidates when meeting with the voters and provided Croom and Matthis with a "sample ballot" upon which he marked certain candidates that he wished to be "pushed" including: Donald J. Trump, Pat McCrory, Ray Britt, Ashley Trivette, Douglass B. Sasser, W. Richard Cox, C. Ashley Gore, Jason C. Disbrow, Scott L. Ussery, and McCrae Dowless. Matthis provided the interviewing officials with the original copy of the sample ballot provided to himself and Croom by Dowless. He stated that Dowless indicated he should use it to remember which candidates to "push" but should not show it to the voters. [Investigator's Note: Ashley Trivette's name was handwritten on the sample ballot. According to Matthis, Dowless wrote that name in since it was not printed on the sample ballot.]

According to Mathis, Dowless required Matthis and Croom to show him both the request forms and the ballots they had produced before he would pay them any money. Dowless would question them when they brought the ballots to him as to whether the person had voted for the candidates Dowless was

pushing and Matthis would say they had. Dowless told Mathis and Croom not to let anyone know that they were being paid based on the number of ballots they turned in or that they were giving the ballots to Dowless. Matthis believed that Dowless was being paid to "do the same" by someone. He also recalled that the first time he and Croom were paid that Dowless paid the full amount for the ballot requests without having received the corresponding ballots. However, after that one time, Dowless told Matthis and Croom that he would only pay half when they brought the requests and would hold the remainder of their pay until they brought the ballots to him. Matthis recalled that Dowless made this change after referring to a "meeting" that he had attended. Matthis speculated that Dowless was told to operate in that manner by other members of Patriots for Progress.

Matthis continued his above explanation of the Register ballots as follows:

Matthis stated that Heather and Timothy Register were out of town when their ballots arrived at their residence. Matthis made a few unsuccessful attempts to reach them in an effort to collect their ballots and return them as part of a group to Dowless. When his efforts to reach them failed, he contacted another one of the Register's sons, Timothy Register Jr., and asked if the ballots had arrived at their residence. According to Matthis, Timothy Register Jr. stated they had arrived but that his parents were still out of town. Matthis asked Timothy if he could go by and pick up the ballots and Timothy agreed. Matthis picked up the ballots at the Register's house While Croom waited in their car. They brought them back to their residence so that he and Croom could include them in a stack of ballots they were delivering to Dowless. Matthis stated that he signed Heather Register's name and Timothy Register's name to each of their ballots. Both he and Croom signed the ballots as if they had witnessed the Registers sign their ballots.

Matthis stated that the Registers had not voted their ballots at the time he went to their residence. Matthis likewise did not vote their ballots but instead put them inside the ballot container envelopes without marking any votes under the mistaken belief that they would not be counted by the BOE if they were blank and that the Registers would still be able to vote. [Investigator's Note: Examination of the Registers' absentee ballots has corroborated Matthis' statement that their ballots were not marked. However, their ballots were nonetheless counted as having voted by the county BOE and therefore they were not eligible to vote again.]

Matthis stated that he and Croom were trying to gather as many ballots as they could to have enough to turn into Dowless so that they could get paid and they wanted to be able to turn the Register's ballots in as a part of a stack of ballots. He advised that Dowless did not know that Matthis had executed Michael Register's ballot or submitted blank ballots for Heather and Timothy Register. Matthis said that he and Croom felt pressure to submit as many ballots as they could so they could get paid by Dowless. In doing so, they did not share Dowless' concern as to how the voters voted. Although they were told to push certain candidate's by Dowless, Matthis stated he did not typically follow that instruction and while he made suggestions, he let people vote for whoever they chose. Matthis and Croom did not look at the ballots before turning them into Dowless and did not know if Dowless opened the envelopes to see how people voted. Matthis commented that since Dowless knew most people in the community and would also recognize neighborhoods by the street address indicated, he would have the ability to guess how the person voted based upon those two factors. Matthis noted that Dowless told them to avoid

African-American neighborhoods when they were soliciting voters because those voters would tend to vote for Democratic candidates.

Matthis and Croom were advised by the interviewing officials that the Bladen County BOE also received a complaint regarding an absentee ballot issue involving voter, Linda Johnson-Baldwin, in which Matthis and Croom's names were listed as witnesses on Baldwin's ballot. Matthis confirmed that he contacted Baldwin at her residence at which time she agreed to fill out request forms for herself, her two sons, and her daughter. Matthis explained to Baldwin that he was being paid to sign people up to vote by absentee ballot and she was "willing to help him out." Croom was with Matthis but waited in the car while he spoke with Baldwin. Matthis did not disclose who his employer was to Baldwin. Matthis and Croom turned Baldwin's ballot request forms in with others to Dowless and waited for the ballots to arrive at Baldwin's house. When Matthis went back to pick up the voted ballots, Croom once again waited in the car. Baldwin informed Matthis that she had not had time to vote yet. When he went back a second time, Baldwin's two sons were present. However, he recalled that because they work for the Fire Department, they had to leave before completing their ballots. Matthis recalled that Baldwin consequently voted, and may have signed, all three ballots, including her sons. Matthis recalled that Baldwin informed him that her daughter was not registered in North Carolina, and as such, no ballot was sent by the BOE. At Matthis' request, Baldwin gave the signed ballots to Matthis so that he could get credit for them from his employer. However, she insisted that Mathis return the ballots to her to put in the mail. Matthis and Croom thereafter delivered Baldwin's ballots to Dowless along with others, but he told Dowless that he needed to return Baldwin's ballots to her. Matthis stated that Dowless always kept the ballots unless the voter asked for theirs back. According to Matthis, that weekend, his mother was in a serious car accident and he was unable to bring Baldwin's ballots back to her because he was assisting his mother with her injuries. Matthis ended up keeping Baldwin's ballots for three or four days beyond what he planned. Matthis ultimately met Baldwin and her husband in their driveway as they were leaving to go somewhere. He gave her back her ballots along with a written apology for taking so long to return them. Investigator's Note: In her complaint, Baldwin identified the young man who approached her about the ballots as "Josh," During an interview on 11/15/2016, Baldwin admitted that "Josh" was really Matthew Matthis and that she concealed his identity in her complaint to protect him from getting into any trouble. Baldwin provided the original apology note she received from "Josh" to investigators. The note was unsigned.

Matthis stated that a few weeks after meeting with Baldwin, Dowless telephonically contacted Matthis on Matthis' cellphone number, which is to inform Matthis and Croom that he (Dowless) had received a telephonic inquiry from investigators with the State Board of Elections (SBE) in Raleigh, NC. Dowless told Matthis and Croom that the investigators were asking questions about Baldwin's absentee request and ballots based upon a complaint that Baldwin had made. A review of Baldwin's paperwork showed Croom and Matthis were witnesses to Baldwin's absentee ballot and the investigators had connected Croom to Dowless. According to Matthis, Dowless was calling to warn them that an "investigation was coming." Dowless instructed Croom and Matthis to meet him in person at his office in Dublin. At that meeting, Dowless instructed them as to what they should say to the investigators. Matthis offered information to Dowless that Baldwin may have signed and voted her son's ballots. Dowless used that information to construct a story that Matthis had brought the ballots to him in order to show him the wrongdoing by Baldwin and that Croom and Matthis had seen that

violation occur. Dowless further instructed Matthis to tell the SBE investigators that as soon as Dowless was informed of what Baldwin had done, he told Croom and Matthis to get the ballots back to Baldwin because he did not want anything to do with them. He ended the conversation by telling Croom and Matthis, "If you say that you'll be alright" and that they needed to "remember what to say."

[Investigator's Note: Matthis stated that it was fairly common for Dowless to avoid having telephone conversations in favor of meeting in person, possibly out of concern that he would be recorded. Matthis and Croom had no other way of knowing that SBE investigators had telephonically contacted Dowless other than learning of that contact from Dowless. Interestingly, in that conversation with SBE investigators, Dowless was asked for a contact number for Croom. He responded that he did not have a number on hand but would try to find Croom's number to give to Investigator Marshall Tutor. Dowless re-contacted Investigator Tutor over the following days to tell him he was still looking for the number for Croom. The number that Dowless used to contact Croom and Matthis was well known to Dowless and was used by Dowless each time he contacted Croom and Matthis. That number corresponds to a cellphone that Matthis and Croom share and which belongs to and is paid for by Matthis' mother, Georgie McCoy, Dowless never provided any contact number to Investigator Tutor. It is also significant that during his protest hearing before the SBE Board on December 3, 2016, Dowless minimized Matthis' role, insisting that Croom was the person who worked for him, and he stated that he did not know who "Josh" was in reference to Baldwin's complaint.]

Matthis and Croom both advised that Dowless' story was completely false. They had not singled out Baldwin's ballots to show Dowless any wrongdoing, but rather had delivered the ballots to him in a stack of approximately 20 others. The only thing unique about that delivery at that time was that since Baldwin had asked to mail her ballots herself, Matthis and Croom needed Dowless to give Baldwin's back after he counted all of the ballots and gave them credit for what they delivered.

Matthis recalled that Dowless told him he attended meetings with others involved in Patriots for Progress. On one occasion when Matthis and Croom were at Dowless' office, Dowless introduced them to a white, female individual who he stated was the "head" of Patriots for Progress. Matthis and Croom described her as being approximately 5'5" tall, slender, with long dark hair. Dowless commented that she was there to "take care of stats."

Matthis advised that Dowless would typically contact Croom and Matthis by cellphone. He never used voice mail, which Matthis does not have activated on his phone. Dowless would use text messaging, and Matthis stated he had saved several of Dowless' text messages on his phone. Dowless' cellphone number was One of the messages from Dowless that Matthis saved was a message sent by Dowless on 09/15/2016, in which Dowless asked Croom and Mathis to go to an address where the voters had been contacted by "Kelly" and pick up their ballots. The address they were being sent to was 90 Pearl Lloyd Road in White Oak, NC. Croom and Matthis opted not to go there because they did not know the people who lived there and they felt it might not be safe. Croom and Mathis described "Kelly" as a white, female, slender build, who is approximately 5'8" tall.

Matthis and Croom advised that they regretted their conduct in relation to the Register ballots, but offered that they were not trying to steal the Register's votes, but rather they wanted to add their

ballots to the stack to get paid. Each provided a signed statement concerning their involvement with Dowless. They advised that they were would cooperate with the investigators and make a telephone call to Dowless if asked to do so.

During the afternoon of 11/16/2016, Matthis advised the investigators that he had received some calls from Dowless' number on his cellphone. As previously stated, Matthis does not have voice mail set up on his phone and Dowless could not leave a message.

On 11/16/2016, in the presence of the investigating officials Matthis returned Dowless' call. The return call was recorded by investigators. In the call, Dowless appeared to be very cautious and when asked by Matthis why he had called, did not seem to have a reason. During the call, Matthis told Dowless that he had received a call from an unknown "919" number. Dowless immediately suggested that it was probably the SBE investigators who had previously called Dowless. Dowless went on to repeat the story concerning Baldwin that he had previously provided to Croom and Matthis and when asked by Matthis as to what he should say about the other ballots he stated he did not know what Matthis was talking about. Dowless continually steered the conversation back to the Baldwin complaint and repeated several times that the only service Dowless paid Croom and Mathis for was "for the request forms." It was noted that Dowless claimed to have reported his knowledge of Baldwin's actions to Cynthia Shaw at the Bladen County Board of Elections after learning about them from Matthis. Dowless also admitted that he received a call from SBE investigators asking about Croom and telling him that they "wanted to speak talk to Caitlyn." Dowless stated that he, Croom, and Matthis had not done anything wrong and there was "nothing going on." When pushed by Matthis regarding the other ballots he and Croom brought to Dowless, he abruptly ended the call by saying he had a call coming in.

Following the above call, Matthis and Croom were asked to comment on what Dowless had said and summarize their dealings with Dowless. Croom stated that Dowless' assertion that he paid them an "average of \$20.00 per day" was incorrect since they would bring him at least two "batches" of request forms and/or ballots per week. Matthis added that they brought in at least \$300.00 a week. Croom stated that Dowless did not provide her with receipts until after the Baldwin complaint had surfaced and that the receipts did not reflect the true amounts that Dowless had paid.

Concerning wrongdoing by Baldwin, Matthis stated he is 100% certain that Baldwin signed the request forms for her family members by signing their names on the form. He recalled telling her that she could sign for them using her own name on the right side of the request form. However, Baldwin stated she could sign their names and that Matthis should just turn his head away while she did so. [Investigator's Note: Baldwin never sent the absentee ballots for herself and her family into the BOE.]

Matthis and Croom stated that the wrongdoing by Baldwin was not the reason they originally brought her ballots to Dowless and that Dowless had no knowledge of any wrongdoing until Matthis informed him subsequent to Baldwin filing her complaint with the Bladen County BOE. Matthis and Croom stated that Dowless knew that he was paying both of them to bring ballots to him as proof that the voter had followed through with the absentee ballot request.

The above referenced signed statements from Matthis and Croom are attached and made a part hereto, as is a copy of the sample ballot given to Matthis by Dowless.

2016-141/Active

I Matthew Matthis, swear this testimony to be 100% truthful and accurate based on what events happened during the time leading up to the 2016 election. Some time, maybe a months, prior to the election we met a girl named Kelly who asked if we wanted a job. & Being broke I said yes I would." She told us to meet 15 is her in Dudin to meet her boss. That day we met McCrae Dowless. He told us who he was, Cruming for Soil + Water conservation) and that he would like for us to go out and get people to sign up for absentee voting. He told us how to have folks fill out the request forms, and showed us the fields that were required the told as once We went out and got 20 the request forms he would pay us for getting those forms. We were supposed to get paid 205 per 20 people who signed up. We would receive half of the 225 when the request forms were turned in, and the other half one we returned the signed ballots back tohim. He told us not to letanyone know we were being paid based upon the number of ballots that we brought him, and to tell people, if they asked, that we're being paid for our time and our gas.

It would work by people filling out request forms and we carry it to McCroce and after he received the forms he would turn them into the board of elections. After that he would

tell me when the ballots would be in the people's mail. Once I went and got the ballots I, along with my girlfriend Caitlyn, were to witness the ballot's signature and then return them to McCrae to prove that I had got the people. After I brought him the ballots he told me then he would that he would handle mailing them injured pay me for bringing him the ballots.

On the matter of the investigators coming to our house, he Called us and told us that investigators had spoke to him, and he wanted to meet so he could tell me what to Say and how to say it. We went to Dublin and met with McCrae. There he told us to say that we wanted to face him the ballots because one had watched Ms. Ballwin Sign all 3 of those ballots, and we wanted to show Mchae the wrong doing, and that once we showed them to him and told him that, he told us to take them straight back and not moss with them. He repeated that story Several times and repeatedly said "You know what to Say right? Just say that and you will be alright." That's not how the night at Dublin really went. What really occured was that we were supposed to meet for me to deliver ballots to him for Payment. The conversation about her signing the ballots didn't take place with he called me I afternoon saying that there was going to be an investigation Concerning our actions with the Baldwin's ballots.

In addition, I admit to wrong-doing on my part. The wrong doing is concerning ballots for the Register family I got Heather Register and Timothy Register SR. to request an absente ballot. I allempted to reach both of them for two days once I was told the ballots should have been sentant. However, they were on vacation so I contacted Timothy Jr. to see if they had received their ballots in the prair He fold me that he would cheek and leave the mail on the table I went and retrieved the ballots. I was being pressured to return the ballots so instead Of whiting for the legisters to return from vacation I signed their names to the ballots and witnessed it muse If. But, I thought no harm was done because I left the bullots blank and was under the impression that a blank absentee ballot would be discarded upon being opened at the BOE and the Registers would be allowed to vote on electron day. I do however, know that not to be true now because the investigator to be me. I did not mean for their voices not to be heard. I firmly believe everyone's voice should be accounted for and understand that what I did was wrong and if I had the chance to re-do this I would've just walted for them to return home. Michael Register was not of state working at the time and I reached out to him asking was it OK for me to fill out a request form for him. He said it was fore and gave me his information. When the ballot come in I asked him who he wanted to vote for and told him I was going to fill out his ballot He replied: he will be the one to finally start the comble apocalypse."

I would also like to say that I smarrly apologize to the Registers once all of this is done. I was raised to be an honest man so the investigators have my full co-operation and I want to aid them in any way possible. I never meant to do any wrong. I was just trying to survive and make money. I had planned on continuing my nursing education at Sampson Community College next Fall, but needed Something to feed my fiance and myself. Although I'm Very depressed about probably not being able to do that now that I'm facing these charges, I understand there are consequences for every action and I will pay for my wrong doing however it is deemed necessary.

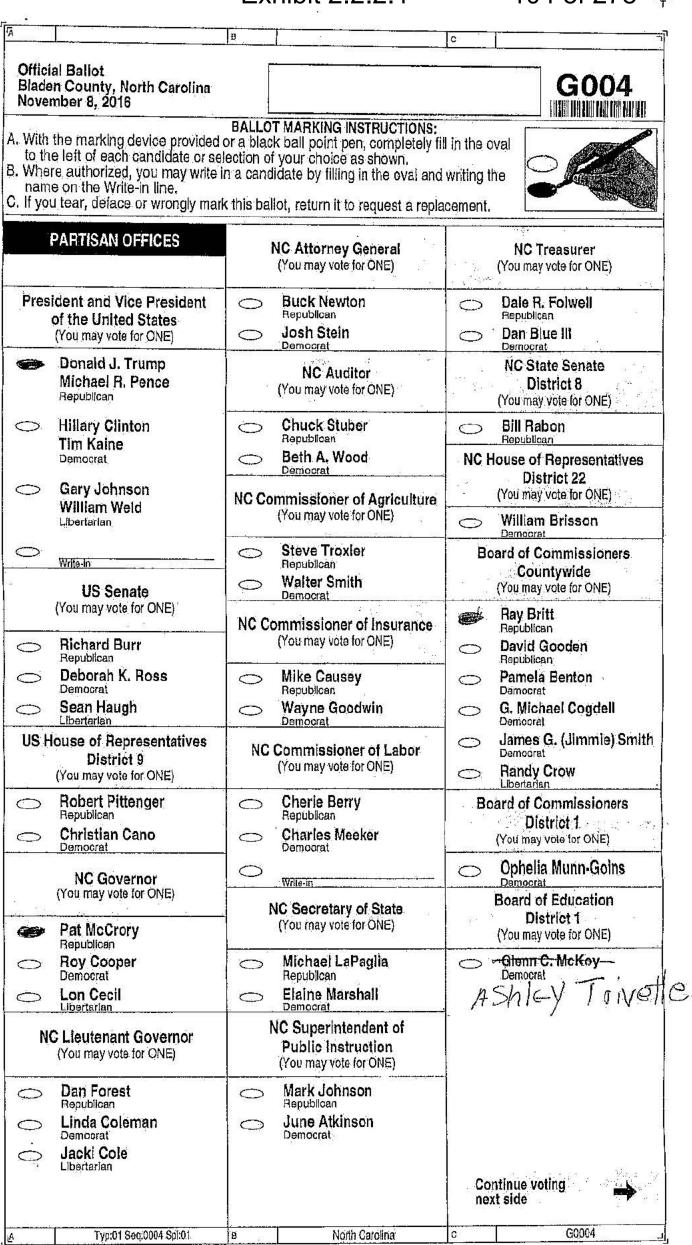
Matthew M. Matthis Matthew M. Matthis 11/17/2016

Joan M. Deminy, Chief Threeholm, 584

Marchall Tutor, Juestyaker, SBE

I, Caitly, Creom, state that everything in this statement is true. I mot hely at a bar we both worked at . One night she asked if I would like to work with her. I said yes. So the next day I was contacted by her and told to meetin Dublin Then is when I med Mr. MeCrae. He told us we wald be going aroud. and gottins people, to sign up for the absentee voting. We would get about 20 absentee req. forms. Take thom to Myrae then he would pay us put of \$225. We would then start to go and out and collect balleds. 29 to set the other half of the #225- After
we had all 20 of them the witness and were Signed We would take them buch to McCrae. My them would take then and tell us he would handel mailing them off. Then pay us before we loft. He told is not to let argame know that we were being paid based on how many req. form and ballots we got for him. Also during this time I witnessed a document that was forged. I had knowledge of the forging. I know this was wrong and I trooky regret it. Land Ching Inde Markell John, Austigator, SEE





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30000000 0000 0000 00000 000000 000000 0000			
NONPARTISAN OFFICES	NC District Court Judge District 13 (You may vote for ONE)		
NC Supreme Court	C. Ashley Gore		
Associate Justice (You may vote for ONE)	NC District Court Judge		1
Michael R. (Mike) Morgan	District 13		
Robert H. (Bob) Edmunds	Jason C. Disbrow		
NC Court of Appeals Judge (You may vote for ONE)	NC District Court Judge District 13 (You may vote for ONE)	N	
Phil Berger, Jr.	Scott L. Ussery		
Republican Linda Stephens Democrat	Soil and Water Conservation District Supervisor		
NC Court of Appeals Judge (You may vote for ONE)	(You may vote for ONE)	_	
	McCrae Dowless		
Hunter Murphy Republican	Write-in		
Margaret Eagles Democrat			
Donald Ray Bule Unatfillated	REFERENDUM		
NC Court of Appeals Judge (You may vote for ONE)			(32.50) (32.50)
	Bladen County Local Sales and Use Tax		
Bob Hunter Republican	Local Sales and Ose lax		
Abe Jones Democrat	Local sales and use tax at the rate of one-quarter percent (0.25%) in		
NC Court of Appeals Judge (You may vote for ONE)	addition to all other State and local sales and use taxes.		2
Richard Dietz	C For)
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NC Court of Appeals Judge (You may vote for ONE)	Ö,	1	
─ Valerie Zachary	End of Ballot		I
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	-		7683
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Pauline Hankins		8 9 1/4 1/4 0 EC 1/6	

NCSBE Report of Investigation

Case Number: 2016-141

Investigator(s): Joan Fleming/Marshall Tutor

Document:

Supplement to interview of Caitlyn Croom and Matthew Matthis, 11/16/2016

County(s):

Bladen County

Subject(s):

Patriots for Progress IE PAC

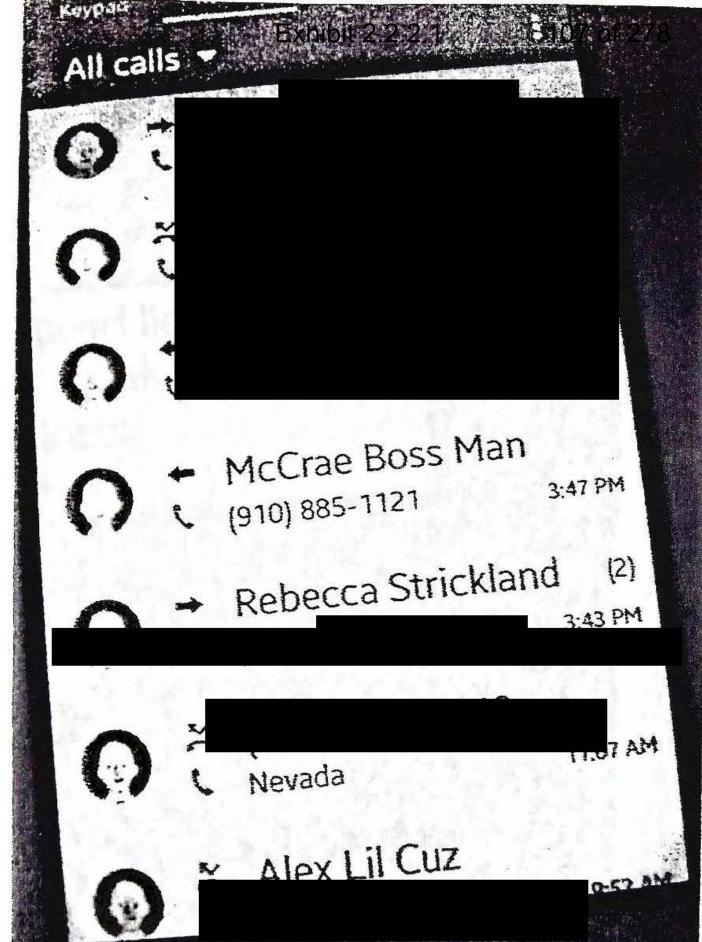
Possible Absentee Ballot Fraud – 11/08/2016 General Election;

On 11/16/2016, Caitlyn Croom DOB _____/1996, and Matthew Matthis, DOB _____/1994, residing at were interviewed by NCSBE Investigators Joan Fleming and Marshall Tutor concerning an election investigation. (Full text of that interview is contained in a separate report.)

As a result of the information Matthis provided in the above referenced interview, Matthis provided access to his and Croom's shared cellphone. He displayed text messages residing on his cellphone associated with McCrae Dowless and Michael Register which he stated were associated with his work for Dowless in soliciting absentee voters.

The writer took photographs of the text messages displayed, copies of which are attached to this report. The original photographs are maintained in the case file.

2016-141/Active



McCrae Boss... (910) 885-1121 Ū

Thu, 09/15/2016

90 pearl lloyd rd white oak this is the address

12:42 PM

Okay thanks. I kind of remembered but not completely

12:42 PM

I'm otw to Dublin to meet.

6:30 PM

Thu, 09/22/2016

Exhibit 2.2.2.1
Hey mccrae, u said if ray and ashley both won we would get a

6:24 PM

I'm just asking if you were serious... we're broke as a bad joke

bonus lol

6:25 PM

Fri, 11/18/2016

Hey mccrae, that weird number was the investigators. They called me again today. They want to meet with me in the morning, im scared and I don't remember half of what we are supposed to say. I've never been investigated for anything

3:36 PM



Enter message

Hey bro.. u tryna let me get ur info so I can fill one of these forms out for u? It'll send a voting ballot to ur home. I'll have it sent to me and I'll ask u who u wanna vote for and fill it out for u if u want. Only way I get paid is getting people to do this junk

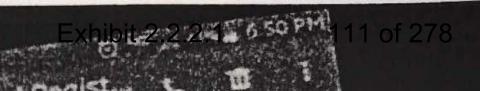
4-32 PM

I guess so but I'm still in Ohio right niw 4:45 PM

That's straight bro, I can fill it out for u. I just need ur bday and the last 4 of ur ssn to make sure ur registered to vote. How is it up there?

4-46 PM

The vote thing isn't until



what's the last 4 digits of ur social sec num and ur date of birth... I'm getting timmy ur mom and ur dad to fill one out too lol

5:00 PM

I heard austin was up there with u

5.00 PM

I tried getting jay to do I but he's too young

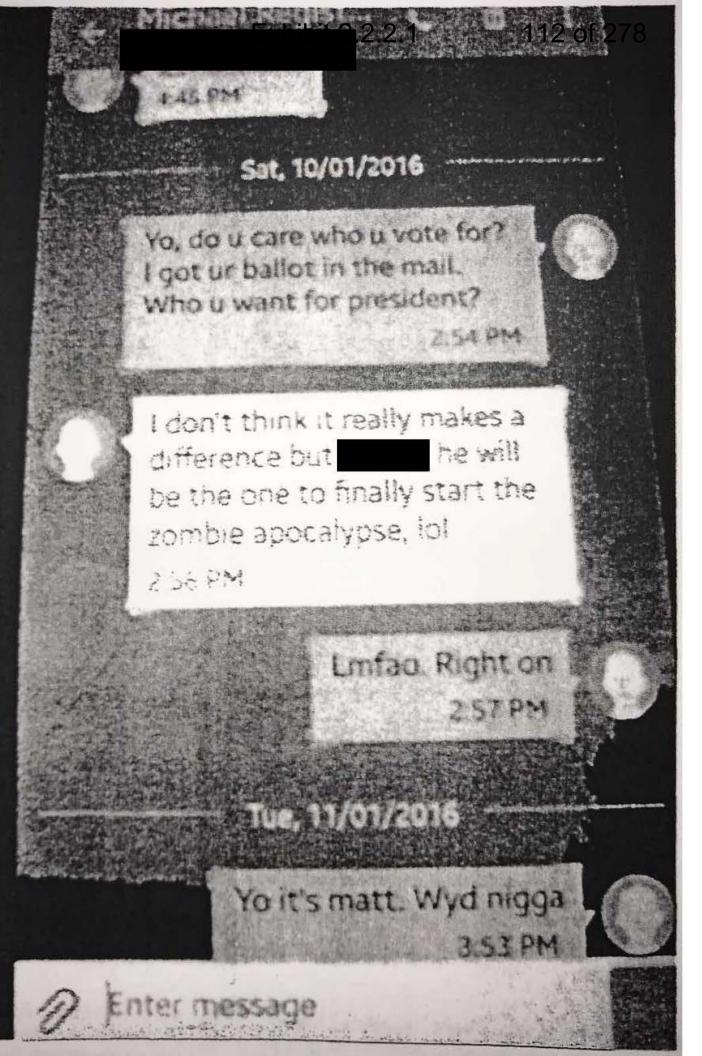
5:04 PM

Lol, I got you, 1996. But yeah he is up here thiugh 5:19 PM

Ask him what his last 4 and his bday is too lol. And I'll



Enter message



Fleming, Joan

From:

Cynthia Shaw <elections@bladenco.org> Thursday, November 17, 2016 3:04 PM

Sent: To:

Thursday, November T Fleming, Joan

Subject:

FW: Election Protest

Attachments:

ElectionProtestForm Bladen Co Soil Water - Signed Amdt.pdf

Per your request!

From: Steve Roberts [mailto:sroberts@hvjt:law] Sent: Thursday, November 17, 2016 9:04 AM

To: elections@bladenco.org Subject: Election Protest

Attn: Director Cynthia Shaw -

Please find attached an amendment to the election protest filed with your office concerning the General Election held in Bladen County, North Carolina on November 8, 2016. The amendment corrects the protestor's name and adds in the forensic document analysis previously submitted with your office.

Sincerely, Steve Roberts

Steve Roberts sroberts@hvit.law

Holtzman Vogel Josefiak Torchinsky PLLC 45 North Hill Drive, Suite 100 Warrenton, VA 20186 C: 202.294.1613 O: 540.341.8808 F: 540.341.8809 Admitted in Virginia and D.C.

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DISCLAIMER

Any accounting, business of tax advice contained in this communication; including attachments and endostres, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Hotzman Vogel Josefiak, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any

attachments hereto, as well as any electronic Xhi bersago 2 that may be sent in response to office 8 considered public record and as such are subject to request and review by third parties.

ELECTION PROTEST

Use of this form is required by G.S. 163-182.9(c)

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional sheets and attachments.

1. Full name and mailing address of person filing the protest.

Leslie McCrae Dowless Jr. P.O. Box 253 Elizabethtown, NC 28337

2. Home and business phone number, fax number, and e-mail address.

Home/Business Phone: 910-885-1121 Email: Mccrae Dowless@mail.com

3. Are you either a candidate or registered voter eligible to vote in the protested election? If a candidate, for what office?

Registered voter eligible to vote in this election in Bladen County.

Candidate for Soil and Water Conservation District Supervisor.

4. List the date, location, and exact nature of the election protested. Name all candidates in the election and the number of votes each received. Note the winning candidate(s) elected or nominated.

November 8, 2016, Bladen County, Soil and Water Conservation District Supervisor.

Candidates: McCrae Dowless (Winner), 7,744 votes; Write-In Candidates including Franklin Graham, 3,743 votes. Additionally, all other candidates on the ballot in this November 8, 2016 General Election in Bladen County.

5. Does this protest involve an alleged error in vote count or tabulation? If so, please explain in detail.

No.

6. Does this protest involve an irregularity or misconduct not described in number 5 above? If so, please give a detailed description of such misconduct or irregularity and name those who committed such action.

Yes. The voters of Bladen County, North Carolina, appear to be the victims of a massive scheme to run an absentee ballot mill involving hundreds of ballots, perpetrated by and through the Bladen County Improvement Association PAC.

Upon in-person visual review of mail-in absentee ballots by a forensic handwriting expert, it appears that literally hundreds of fraudulent ballots were cast. These ballots all appear to have been cast in support of a ticket of candidates, but in particular for a write-in candidate for the Bladen County Soil and Water Conservation District Supervisor. Despite the unusually large number of ballots cast for a particular write-in candidate named Franklin Graham, it appears that out of the hundreds of ballots reviewed that voted for Mr. Graham, the handwriting on hundreds of those ballots matches only about a dozen handwriting styles.

In particular, one very active absentee ballot "witness," Deborah Monroe, who was apparently personally validating validated at least 67 mail-in absentee ballots, appears to have written in "Franklin Graham" as a write-in candidate at least 71 times. In further shocking evidence of this scheme, the Bladen County Improvement Association PAC filed reports with the North Carolina State Board of Elections admitting they that it paid Ms. Monroe multiple payments totaling \$550 for "G.O.T.V." See Attachment at 8, 23, 47.

Other payments which are disclosed on Bladen County Improvement Association PAC contribution reports include the following:

Mary Johnson, witness for 74 ballots, \$450; Lola Wooten, witness for 58 ballots, \$500; Deborah Cogdell, witness for 45 ballots (including both witnesses on 1 ballot), \$300; and Bridgette Keaton, witness for 16 ballots, \$630.

While the Bladen County Improvement Association PAC has many funders, its single largest funder is the North Carolina Democratic Party, supporting the organization with a \$2,500 contribution. See Attachment at 7. Not only was the Democratic Party itself an active supporter of this organization, a number of Democratic campaigns for North Carolina state office made financial contributions to the PAC. These include the Michael Morgan Committee contributing \$1,500, backing the recently-elected Democrat North Carolina Supreme Court Justice; the Committee to Elect Dan Blue III contributing \$1,000, backing the unsuccessful Democratic nominee for North Carolina Treasurer; the Committee to Elect Robert Wilson contributing \$1,000, backing the unsuccessful candidate for the Democratic nomination for Lieutenant Governor, and the Committee to Elect Judge Vince Rozier, contributing \$250, backing the unsuccessful Democratic nominee for North Carolina Court of Appeals.

Several other batches of mail-in absentee ballots of between 5 and 15 have handwriting samples that appear to match.

These are not simply helpful individuals who have attempted to assist a large swath of Bladen County's voters to cast their ballots. This is the shocking evidence resulting from a blatant scheme to try to impact the voting results of an entire county and perhaps even sway statewide and federal elections. This is clear from the fact that only a very few of the voter assistance sections of these mailed-in absentee ballots have been completed, despite being completed by just a few individuals.

Therefore, it appears that a surprisingly small number of individuals were responsible for casting a very large number of ballots. Few of these ballots were properly indicated as having been completed with assistance by a third party.

I will also be submitting a report from a Forensic Document Examiner that details much of the handwriting analysis outline above. That will be submitted under separate cover as soon as the report is completed.

N.C. Gen. Stat. § 163-226.3(a)(1).

N.C. Gen. Stat. § 163-226.3(a)(2)

N.C. Gen. Stat. § 163-226.3(a)(3)

N.C. Gen. Stat. § 163-226.3(a)(7)

N.C, Gen. Stat. § 163-237

N.C. Gen. Stat. § 163-275(4)

^{7.} Please set out all election laws or regulations that you allege were violated in your responses to 5 or 6 above. State how each violation occurred. Please provide the names, addresses, and phone numbers of those who you allege committed such violations.

Additionally, the perpetrators violated numerous federal laws dealing with the open and fair conduct of elections, including 18 U.S.C. § 1341 as defined by 18 U.S.C. § 1346.

8. Please provide the names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in this protest, and specify what each witness listed saw or knows.

James Brian Hehl, Bladen County Board of Elections 301 S Sypress St. Elizabethtown, NC 28337 910-862-6951 Details described in the Attachment to this Protest at 1.

Jerol Kivet PO Box 590 Clinton NC 28329

Personally viewed sample of the mail-in absentee ballots and can corroborate their authenticity and details regarding the review of those ballots.

Charlotte Ware 2161 Southridge Drive Belmont, NC 28012 704-860-7992

Evaluated a sample of the mail-in absentee ballots, with a full report to follow this complaint.

9. What action do you desire the county board of elections to take in this matter?

The Bladen County Board of Elections must invalidate all ballots for any office whatsoever deemed to be fraudulently prepared and cast as described herein. In particular, any of the mail in absentee ballots which have been traced to this fraudulent scheme must be immediately invalidated as they are not able to be cured.

10. Do you contend the allegations set out by you are sufficient to have affected or cast doubt upon the results of the protested election? If your answer is yes, please state the factual basis for your opinion.

Yes. The described allegations clearly demonstrate a pattern of fraudulent ballots east for the election held on November 8, 2016 in Bladen County. The fraud appears to have been intended to influence, in part, the outcome of the Soil and Water Conservation District Supervisor's race, however a ballot deemed fraudulent must similarly not be counted for any office voted.

11. Have you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests?

Yes.

How many pages of additional answer are attached to this protest?
 How many pages of attachments are attached?

Signature of Protestor

Date/Time Filed with County Board

(to be filled out by the county board)

NOTE: The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election audit with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections, PO Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.

Brian Hehl PO Box 592 Dublin NC 28332 910-876-1579

2 November 2016

Joan Fleming NCSBOE

Re: Absentee Ballot Irregularities:

Dear Mrs. Fleming:

At your direction from the previous email in regards to absentee ballot irregularities, we reviewed those ballots and envelopes, and separated them to be photocopied. Due to a possible missed ballot and or vote, the absentee machine was zeroed and all absentees from 10-18-16 were processed through the voting machine again. While Chairman Ludlum and Secretary Daniel ran the ballots through, Director Shaw and I separated out the envelopes for those that had write-in votes. We did this by matching the ballots from the outstack bin to the envelopes, after Ludlum and Daniels put them through the machine. We were in direct view of both operations so that all members could see both processes for oversight. During that separation, there were several handwriting patterns that were overtly similar. Furthermore, those handwriting patterns were specific to certain names on the envelopes. By the end of the sorting process, I could determine the name on the envelope with a very high degree of accuracy, just by seeing the handwriting on the ballot. Of these names, two stood out. One is Patricia Cogdell, and the other is Deborah Monroe. Lam in no way a handwriting expert, but some of the characters in the handwriting on the ballots appear to be similar in morphology to her signature. With Deborah Monroe, her handwriting has a slant that looks to be written left handed. The tops of the letters lean towards the left, while the voters' signatures generally lean to the right. However, on the ballots, the write-in names lean similar to Monroe's signatures. After reviewing those ballots, I do not recall seeing any of them with written documentation that they actually assisted the voters, only that they witnessed the voters filling in the ballots. We have not done any other ballots due to the time consuming process on I November, 2016. We, as a board have agreed to finish the absentee ballots on Monday before the election. At that time, we can, if you wish, look at more envelopes and ballots, but with the ones found on 1 November, I believe there are an overwhelming number of occurrences already, to review and investigate. If you have any questions whatsoever, please feel free to contact me.

Sincerely:

James Brian Hehl

Member, Bladen County Board of Elections

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Detailed Summary			Amendmend Per Z No
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6) Contributions from Individuals (C	RO-1210)	\$ 2,900,00	\$ 2,900,00
7) Contributions from Political Party Committees (C	RO-1220)	\$ Z1500.00	\$ 2,500,00
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9) Loan Proceeds (0	(RO-1419)	\$	\$
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11) Other Receipt Sources			
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11b) Contributions from Not-For-Profit Organizations (C	CRO-1250)	\$	\$
11c) Outside Sources of Income (0	(RO-1259)	\$	\$
11d) Legal Expense Fund - Other Sources (0	CRO-1270)	s	\$
11e) Exempt Proclasse Price Sales (0	CRO-1265)	\$	S
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13b) Contributions to Candidates/Political Committees (CRO-1310)	\$	\$
13c) Coordinated Party Expenditures (CRO-1318)	s	\$
14) Aggregated Non-Media Expenditures ((RO-1315)	\$	\$
15) Loan Repayments ((RO-1479)	\$ "	\$
16) Refinals/Reimbursements from the Committee ((CRO-1374)	S	S
(7) In-Kind Contributions	CRO-2519)	\$.\$
18) TOTAL EXPENDITURES (Add lines 13c, 13b, 13c, 14, 15,	16 and 17)	\$ 1,323.00	
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Contributions from Political Party Committees

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JUL 06 2016

Detailed Summary			Amendment 2 No
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BLADEN COUNTY IMPROVEMENT ASSOC (PAC)			94.0011
Start of Election Cycle: January 1, 2016		Total this Reporting Period	Total fins Election Cycle
4) Cash on Hand at Start		\$ Z475.2Z	8 247522
RECEIPTS	SERVICE SERVICE		
5) Aggregated Contributions from Individuals	(CEO-1205)	\$	\$
6) Contributions from Individuals	(CRO-7210)	\$ 7049.00	\$ 7049.00
7) Contributions from Political Party Committees	(CRO-1229)	\$.	\$
8) Contributions from Other Political Committees	(CRO-1230)	\$	\$
9) Losn Proceeds	(CRO-1418)	\$.	\$
(0) Refunds/Resurbansements to the Committee	(CRC-1240)	\$	\$
(1) Other Receipt Sources			
11a) Interest on Bank Accounts	(CRO-1290)	\$	\$
11b) Contributions from Not-Fox-Profit Organizations	(CEO-7250)	\$	\$
11c) Outside Sources of Jaconse	(CRO-1250)		\$
11d) Legal Expense Fund - Other Sources	(CRO-1270)	\$	\$
11e) Exempt Prorchase Price Sales	(CRO-1265)	\$	\$
12) TOTAL RECEIPTS (Add lines 5, 6, 7, 8, 9, 10, 11a, 11b, 11c,	[1d and 11c)	\$7049.00	\$ 7049.00
EXPENDITURES	73-60-2	38994	
13) Disbursaments			
13a) Operating Expenditures	(CRO-1310)	\$ 9,293.87	\$ 9,293,87
13b) Contributions to Candidates/Political Committees	(CBO-1310)		\$
13c) Coordinated Party Expenditures	(120-1319)	\$	\$
14) Aggregated Non-Media Expenditures	(CRO-1315)	\$	\$
15) Lean Repayments	(CEO-1478)	\$	\$
16) Reimals/Reimbersements from the Committee	(CRO-1320)	\$	\$
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18) TOTAL EXPENDITURES (Add Inc. 13a, 13b, 13c, 14, 1	5, 16 mad 17)	\$ 9.293.87	\$ 9,743.87
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20) Non-Monetary Gifts Given to Other Committees	(CRO-1336)		
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Exhibit 2.2.2.1

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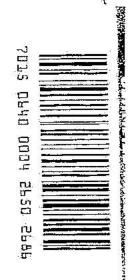
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report is complete, true and correct and that I have been trained by the NC State Board of Elections.	
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Detailed Summary	4		Anershoest Ves S No.
se this form to summarize all disclosure reporting forms and Committee Full Plante (and Fund if applicable)	2 Type of R	rate machinement	L.ID Number
BLADEN COUNTY IMPROVEMENT ASSOC, AC		QU ARTER	7940011
tart of Election Cycle: January 1, 2016		Total this Reporting Period	Total this Election Cycle
4) Cash on Hand at Start		\$ 1687.02	
RECEIPTS			
5) Aggregated Contributions from Individuals	(CRO-1205)	\$	\$
6) Contributions from Individuals	(CRO-1210)	\$ 2550.00	2550.00
7) Confributions from Political Party Committees	(CRO-1220)	\$	\$
8) Contributions from Other Political Commutatees	(CRO-1230)	\$	5
9) Losu Proceeds	(CRO-1418)	\$.	\$
(0) Refunds/Reimborsements to the Committee	(CRO-1240)	\$	\$
1) Other Receipt Sources			
11a) Interest on Bank Accounts	(CEO-1250)	\$	\$
11b) Contributions from Not-For-Profit Organizations	(CRO-1250)	\$	S
Ilc) Outside Sources of Income	((320-3250)	\$	s
11d) Legal Expense Fund - Other Sources	(CRO-1279)	\$	\$
11e) Ruempt Parchase Price Sales	(C20-1265)	\$	\$
12) TOTAL RECEIPTS (Add lines 5, 6, 7, 8, 9,10,11a,11b,11c	11d and 11c)	\$ 7550.00	0 1 2 5 50.00
EXPENDITURES			
13) Disbursements			
13a) Operating Expenditures	(CRO-T216)	\$ 1761,80	\$1761.80
13b) Contributions to Candidates/Political Committees	(CRO-1310)		\$
13c) Coordinated Party Expenditures	(CRO-1310)		\$
14) Aggregated Non-Media Expenditures	(CRO-1315)	\$ -	\$
15) Losa Repsyments	(CRO-1429)	\$ -	i s .
16) Refunds/Beinebersements from the Committee	(CRO-1329)	S	8
17) In-Kind Contributions	(CEO-1510)	\$	\$
18) TOTAL EXPENDITURES (Add lines 132, 130, 13c, 14,		1 1 20	\$ 1761.80
10) Cash on Hand at Kind (Add lines 4 and 12 together, then s	board line 18	\$ 2475, 22	- 182475,22
ADDITIONAL ENGORMATION			
20) Non-Monetary Gifts Given to Other Committees	(CBO-1336)	\$	
21) Onistanding Loans (incl. ones from other compaigns) (CEO-1430)	\$	
22) Debts and Obligations owed by the Committee	(CEO-1610)	\$	The state of the state of
23) Debts and Obligations owed to the Committee	(CEO-1628)	\$	ff .
24) Account Transfers Within the Committee	(CRO-1720)	\$	
25) Administrative Support	(CRO-1/10)	\$	\$
26) Forgiven Loans	(CRO-1440)	\$	2 .
27) 48-Hour Notice Reports Sum	(CRO-2220)	\$	\$
28) Contributions to be Refunded	(CRO-1215)	\$	ls -

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Grant R. Sperry Charlotte W. Ware Forensic Document Examiners (704)-660-7992 email: com www.fite-eperry.com

FORENSIC LABORATORY REPORT

November 15, 2016

Roger Knight, P.A. 8510 Six Forks Rd. Ste. 102 Raleigh, NC 27615

Request dated: November 11, 2016 Lab Referral Number: 16-1112

RE: Forensic Document Examinations – on site; Bladen County Board of Elections-November 14, 2016

EXHIBITS

Envelopes.

Photocopies of approximately 275 voter envelopes containing voter signatures

and witness signatures

Ballots

Photocopies of approximately 400 ballots containing write-in candidate by the

name of "Franklin Graham"

PROBLEM

Determine whether the "Franklin Graham" handwritten/hand printed entries on the ballots were written by one, or more than one writer.

EXAMINATION FINDINGS

The 'Franklin Graham' handwriting/hand printing on the various ballots were examined, intercompared and assessed for identification value. All of the "Franklin Graham" handwritten entries were found to contain writing features and characteristics of value for identification purposes.

LAB REPORT 16-1112

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Examinations and inter-comparisons between the ballots were conducted. Some of the "Franklin Graham" writing was in cursive, and some was hand printed. The purpose of the forensic examinations and inter-comparisons was to assess the writing features and characteristics for similar and distinguishing features which would provide a basis for determining whether one, or more than one writer wrote the questioned "Franklin Graham" entries

Comparisons of the writing features and characteristics within the "Franklin Graham" entries on the respective ballots revealed distinctive similarities and distinguishing differences which provided a basis for the ballots to be associated or grouped by writer.

CONCLUSION

There are indications many of the 'Franklin Graham' entries were written by the same writer, Based on the distinctive similar and distinguishing writing features observed in the 'Franklin Graham' entries examined, the ballots were grouped. There are <u>indications</u> the ballots within each Group referenced below was written by a single writer.

Group 1; 71 ballots

Group 2: 46 ballots

Group 3: 18 ballots

Group 4: 10 ballots

Group 5: 11 ballots

Group 6: 6 ballots

Group 7: 5 ballots

REMARKS

Time constraints, the large number of exhibits to be examined, and the fact that the ballots were not originals were limiting factors in the examination. If the ballots were examined in the proper setting, with ample time for examination and inter-comparisons, more conclusive results would be possible. Further, provided ample time for more detailed examinations/comparisons, a determination as to whether the remaining 'Franklin Graham' writings (ballots) can be associated with existing or additional groups would be possible. Because of the existence of handwritten and hand printed 'Franklin Graham' entries and the difficulty of inter-comparisons, it is possible the 'Franklin Graham' entries in one or more groups may be the product of one writer.

Comparable similar writing characteristics were noted between the writings within Group 1 and the 'witness' Deborah Monroe hand printed entries on the respective envelopes. Further examination of these documents would result in a more definitive finding.

LAB REPORT 16-1112

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Examinations of the remaining 'witness' related writings were not conducted due to time constraints.

EVIDENCE DISPOSITION

All photocopied ballots and envelopes were retained by the Bladen County Board of Elections. No photographs were allowed to be taken and photocopies were not allowed to be made of the ballots.

Reasons and Bases

The referenced examinations and comparisons were conducted utilizing published standard methodologies as prescribed by ASTM International Standard E-2290 (or other) and by the Scientific Working Group for Forensic Document Examination (SWGDOC).

The conclusions stated above generally adhere to published standard terminology as prescribed by ASTM International Standard E-1658 and by the SWGDOC standard entitled 'Standard Terminology for Expressing Conclusions of Forensic Document Examiners.'

Charlotte W. Ware

Forensic Document Examiner

Charlottes Wa

Cynthia Shaw

From:

Cynthia Shaw <elections@bladenco.org>

Sent:

Friday, November 18, 2016 4:41 PM

To:

'Lawson, Joshua'; 'Strach, Kim'; 'Fleming, Joan'; 'marshall.tutor@ncmail.net'

Subject:

FW: Supplement to L. McCrae Dowless protest

Attachments:

Heather.Register.pdf

Please add to McCrae Dowless Protest in Bladen County. Just got it Cynthia P. Shaw

Director

Bladen County Director

From: Gabriela Fallon [mailto:gfallon@hvit.law] Sent: Friday, November 18, 2016 4:24 PM

To: elections@bladenco.org

Subject: Supplement to L. McCrae Dowless protest

Good afternoon,

Attached is an affidavit from Heather Register, a registered voter in Bladen County. Please accept the affidavit as a supplement to the protest filed by Leslie McCrae Dowless earlier this week.

Best regards,

Gaby Fallon

Gabriela Fallon gfallon@hvjt.law

Holtzman Vogel Josefiak Torchinsky PLLC

PRIVILEGED AND CONFIDENTIAL

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

DISCLAIMER

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel Josefiak, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

172 of 278

Cynthia Shaw

From:

Gabriela Fallon <gfallon@hvjt.law>

Sent.

Friday, November 18, 2016 4:24 PM

To:

elections@bladenco.org

Subject

Supplement to L McCrae Dowless protest

Attachments:

Heather.Register.pdf

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Best regards,

Gaby Fallon

Gabriela Fallon gfallon@hyjt.law

Holtzman Vogel Josefiak Torchinsky PLLC

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AFFIDAVIT

North Carolina

County of Bladen

Name of principal

notary and being duly sworn, says that:

- My name is Heather Register and I am a registered voter in Bladen County, North Carolina.
- I reside at 1878 Braxton Edge Road, Fayetteville, NC 28312, with my husband,
 Timothy Register, and my son, Michael Register.
- In approximately late September/early October, my son's friend, Caitlyn Croom arrived at our horse accompanied by a friend named Matthew.
- 4. Caitlyn and Matthew advised my family and me that if we filed absentee request forms, we would receive absentee ballots in our mail and we could vote by mail without having to go to the polls to cast our votes.
- 5. Caitlyn and Matthew also mentioned they could receive payment in the amount of \$20 if they secured a certain number of absentee ballor request forms from voters; they did not share information on who would be paying them for this work.
- My family and I completed our absence request forms with Caitlyn and Matthew.
 However, the absence ballots never arrived at our home.
- 7. On November 8, 2016. I went to my polling place to cast my vote.

- 8. When I arrived, the poll workers informed me I could not vote because my absentee ballot had already been cast on October 6, 2016.
- 9. Additionally, the poll workers advised me that absentee ballots had also been received for my husband and son.
- 10. I explained that the absentee ballots never arrived at our home and we had not submitted those absentees ourselves.
- 11. I was told I could not vote and was provided the number for the Bladen County Board of Elections.
- 12. I informed the Bladen County Board of Elections of the absentee ballots that were submitted in my family's name without our knowledge or consent.
- 13. Neither my family nor I voted provisionally.

Sworn to (or affirmed) and subscribed before me this the 20_

(Official Seal)

Charles W. Siska, 31 Notery Public Comberland County, N.C.

Notary's printed or typed name

NCSBE

Case # 2016-166
NOVEMBER 2016 GENERAL ELECTION
PROTESTS;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome – 11/08/2016 General Election TOUGH . SMART . PROVEN

December 2, 2016
Via E-mail
(Joshua Lawson@ncsbe.gov)

Ioshua Lawson General Counsel North Carolina State Board of Elections P.O Box 27255 Raleigh, North Carolina, 27611

RE: In re Protest of Election by Leslie McCrae Dowless, Jr., Bladen County

Dear Mr. Lawson,

I represent the McCrory Committee with regard to the election protest filed by Leslie McCrae Dowless, Jr. in Bladen County concerning possible absentee ballot fraud (the "Protest"). At 1:30 p.m. yesterday, December 1, 2016, the North Carolina State Board of Elections ("NCSBE") noticed its hearing on the Protest, to occur tomorrow, December 3, 2016, at 1:30 p.m. (the "Hearing").

N.C. Gen. Stat. §§ 163-182.10 and 182.11 allows the NCSBE to receive evidence from inter alia, persons to whom notice of the hearing was provided. The McCrory Committee qualifies as a person to whom notice of the hearing was provided, and hereby notifies the NCSBE of its intent to present evidence at the Hearing.

As you know, the NCSBE has decided to hear the Protest on an accelerated timeline, only giving the 48-hour minimum statutory notice allowed under the North Carolina Open Meetings Act for the Hearing. Due to the compressed timeline, the number of witnesses identified in the Protest (as originally filed and amended) and the Expert Report of Charlotte W. Ware, and the fact that the NCSBE is itself conducting an investigation into the issues raised in the Protest, I expect that the NCSBE has sua sponte sought to secure the attendance of relevant witnesses and documents necessary for its full consideration of the Protest on the merits. This includes:

- Witness subpoenas, or otherwise securing the attendance of at least the following people:
 - o Brian Hehl (Member of Bladen County Board of Elections);
 - o Charlotte Ware (Handwriting Expert who submitted report in connection with the Protest);
 - o Heather Register (Affiant who testified that she requested absentee ballot that she never received and was voted by someone else);
 - o Debra Moore (person who apparently both signed as a witness and filled out the write-in part of absentee ballots);

Joshua Lawson
General Counsel, North Carolina State Board of Elections
December 2, 2016
Page 2 of 2

- Lola Wooten (person who apparently both signed as a witness and filled out the write-in part of absentee ballots);
- Mary Johnson (person who apparently both signed as a witness and filled out the write-in part of absentee bailots);
- Any NCSBE, Bladen County Board of Elections, or other state employee involved in investigating the issues raised in the Protest.
- Document subpoenas, or otherwise obtaining for consideration as evidence at the Hearing at least the following:
 - The redacted copies of the absentee ballots at issue that the Bladen County Board
 of Elections allowed the members of the public to review;
 - o The originals of the absentee ballots at issue for the Board to review in camera;
 - o The original envelopes and redacted copies of the envelopes made available to the public for the absentee ballots at issue.

We note that Ms. Ware was not permitted to duplicate or retain copies of the redacted ballots or absentee envelopes that she was allowed to review and which substantially form the basis for her expert report. We also note that Ms. Ware's time to review the copies of the redacted ballots and absentee envelopes was limited to a few hours.

Please confirm whether or not the following people and documents will be available at the Hearing tomorrow. In addition, to the extent that the NCSBE has not subpoensed or otherwise secured the attendance of the above people and documents at the hearing, please consider this as a request under N.C. Gen. Stat. § 163-182.10(c)(1) for a Board Member to issue subpoenss for people and documents. It is the McCrory Committee's position that securing these documents and people are necessary for its ability to be heard at the Hearing.

Sincerely.

SHANAHAN LAW GROUP, PLLC

John E. Branch III

PERKINSCOIE

1201 Third Averue Suite 4900 Seattle, WA 98101, 3099 +1,206,359,3000
 +1,256,359,3990
 PerhipsCoresom

December 2, 2016

Kevin J. Hamilton KHamilton@perkinscolo.com D. +1,206.359,8741 F: +1,206.359,9741

VIA EMAIL TRANSMISSION

A. Grant Whitney, Jr., Chairman Rhonda K. Amoroso, Secretary James Baker, Member Maja Kricker, Member Joshua D. Malcolm, Member North Carolina State Board of Elections 441 North Harrington St, Raleigh, North Carolina 27603 elections.sboc@ncsbe.gov

Re: In re Protest of Election by Leslie McCrae Dowless Jr.

Dear Members of the North Carolina State Board of Elections:

I write on behalf of Roy Cooper and the North Carolina Democratic Party. The purpose of this letter is to request that the Board take no action with regard to the Election Protest filed by Leslie McCrae Dowless Jr. that would disenfranchise voters who committed no election law violation, and to count their votes, at least with regard to elections that are not implicated in Mr. Dowless's Protest.

Mr. Dowless's Protest alleges that individuals assisting voters, rather than the voters themselves, wrote the name of write-in candidate "Franklin Graham" on "hundreds" of ballots. See Protest § 6. The protest appears to be alleging a violation of N.C. Gen. Stat. § 163-226.3(a)(1), which makes it a felony "[f]or any person except the voter's near relative or the voter's verifiable legal guardian to assist the voter to vote an absentee ballot when the voter is voting an absentee ballot other than under the procedure described in G.S. 163-227.2; provided that if there is not a near relative or legal guardian available to assist the voter, the voter may request some other person to give assistance."

¹ To the extent Mr. Dowless's Protest alleges that individuals served as a witness for multiple absentee ballots, that is not a violation of law, and it certainly is not a violation of law by the voter, who would have no reason to know how many envelopes a particular individual has signed as a witness.

1

The campaign of former Gov. Pat McCrory spent about \$260,000 through a legal defense fund after Election Day to challenge absentee ballots, vote counting practices and voter eligibility. The total appears in campaign finance reports filed this month with the State Board of Elections. McCrory, a Republican, had sought a recount and filed election protests after election night totals showed him losing by just thousands of votes. Some filings claimed that ineligible voters had cast ballots, while others claimed absentee ballot and vote counting irregularities, but most nearly all the complaints were rejected by the elections board. Hearings on the protests meant that Democrat Roy Cooper was not formally declared the winner until early December.

The governor's race "overtime" -- as McCrory once described it -- proved costly for both campaigns, which repeatedly asked supporters to donate money to fund the legal process. McCrory's finance report includes a \$24,257 bill from attorney Roger Knight as well as a \$40,000 bill from Shanahan Law Group, which includes attorney John Branch, who represented the campaign before McCrory appointed him to chair the State Ethics Commission. The legal fund also spent \$46,563 on payroll expenses for about a dozen campaign staffers who remained employed into December, as well as travel expenses for the staffers who reviewed ballot records in counties across the state looking for evidence of voter fraud. McCrory had help from the campaigns of U.S. Sen. Richard Burr and U.S. Rep. Richard Hudson, fellow Republicans who each chipped in \$4,000 to the legal defense fund. The legal battle was costly for Cooper's campaign too, but it's difficult to determine the exact cost because he did not set up a separate legal defense fund. His campaign's final report for 2016 does not include payments to the national law firm of Perkins Cole, which represented the campaign and the N.C. Democratic Party in Board of Elections hearings. Kevin Hamilton and Marc Elias – who also represented Hillary Clinton's presidential campaign – helped Cooper oppose voter fraud allegations. Morgan Jackson, a representative for the Cooper campaign, said Tuesday that the legal expenses aren't included in the finance report because the campaign hasn't received the bills yet. Jackson said he expects the "six figure" payments will appear in the first finance report of 2017. The cost may be split with the N.C. Democratic Party, he added. Like the McCrory campaign, the Cooper campaign continued to pay a number of staffers, fundraising consultants and office space rent into December -- long after campaigns would typically wind down operations. The final campaign finance reports of 2016 also show how costly the race was. McCrory raised a total of \$15.8 million during 2015 and 2016, while Cooper raised \$24.7 million during the same period. Those figures don't include spending by outside groups. (Colin Campbell, THE NEWS & OBSERVER, 1/24/17).

NORTH CAROLINA

CITY

SUPERIOR COURT DIVISION

SUPERIOR COURT DIVISION

17 CVS 3273

LOUIS M. BOUVIER, IR. KAREN
ANDREA NIEHANS, SALWIEURU

NIEHANS,

BY

UNCONTESTED MOTION FOR
LEAVE TO FILE

Plaintiffs,

V.

WILLIAM CLARK PORTER, IV,

Defendant.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

17 CVS 3273

UNCONTESTED MOTION FOR
LEAVE TO FILE

AMENDED COMPLAINT

NOW COME Plaintiffs Louis M. Bouvier, Jr., Karen Andrea Niehans, and Samuel R. Niehans ("Plaintiffs"), by and through their undersigned counsel, and move the Court pursuant to Rule 15 of the North Carolina Rules of Civil Procedure for leave to amend their Complaint (attached hereto as Exhibit A). Pursuant to Local Rule 5.9, counsel for Plaintiffs has conferred with Defendant's Counsel, who indicates that he will neither consent to nor oppose this Motion. In support of this Motion, Plaintiffs state as follows:

Plaintiffs, a group of duly registered Guilford County voters, filed this action against Defendant for defamation on February 8, 2017, contending that they were falsely accused of committing felony voter fraud in the November 2016 general election. On May 10, 2017, Defendant filed an Amended Motion to Dismiss which asserted that the alleged defamatory statements were "made to a quasi-judicial agency or body of the State" and were therefore "absolutely privileged or qualifiedly privileged, baning any claim asserted by Plaintiffs." (Amended Mot. to Dism. at p. 1.) On June 7, 2017, this Court heard Defendant's Motion to Dismiss which was denied by Order entered June 8, 2017, and filed on June 9, 2017. Thereafter,

Plaintiffs obtained certain written discovery from Defendant and took Defendant's deposition on July 24, 2017.

As a result of the information obtained from Defendant, Plaintiffs file this Motion for Leave to Amend in order to file an Amended Complaint which seeks to add one additional plaintiff, six additional defendants and assert one additional claim, in addition to treating the case as a class action on behalf of all North Carolina voters falsely accused by defendants of committing felony voter fraud in connection with the 2016 general election in North Carolina Pursuant to Rule 15(a) of the North Carolina Rules of Civil Procedure, "a party may amend his pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires." "[L]eave to amend should be freely granted. The decision to allow a motion to amend under Rule 15(a) is directed to the sound discretion of the superior court and is accorded great deference." Rone v. Winston-Salem, 207 N.C. App. 618, 624; 701 S.E.2d.284, 289 (2010).

Plaintiffs seek to add six additional Defendants through their Amended Complaint: Holtzman Vogel Josefiak Torchinsky, PLLC ("Holzman Vogel"), Steven Roberts, Erin Clark, Gabriella Fallon, Steven Saxe, and the Pat McCrory Committee Legal Defense Fund. Based on information obtained through discovery, Plaintiffs believe that these entities and individuals were responsible for facilitating a statewide scheme to invalidate the results of the 2016 Gubernatorial Election, and maliciously or recklessly defamed voters across the state to achieve that end. Plaintiffs therefore additionally seek to assert an additional based on the relationships uncovered in the discovery process. Plaintiffs seek to add a claim for civil conspiracy against all original and new Defendants to establish that each is jointly and severally liable for the harms that resulted to Plaintiffs from the publication of defamatory information. The information obtained

in discovery have led Plaintiffs to believe that both the original Defendant and proposed additional Defendants were part of a scheme that resulted in the defamation of numerous voters all across the state of North Carolina, such that it would be impracticable to join each individual voter as a Plaintiff in this action. For this reason, Plaintiffs seek to join only one additional named Plaintiff and to, together with these additional named Plaintiffs, act as representatives for all similarly situated individuals in the state.

Though "the burden is upon the opposing party to establish that that party would be prejudiced by the amendment," Manney v. Morris, 316 N.C. 67, 72; 340 S.E.2d 397, 400 (1983), it is apparent that no such prejudice exists here. Plaintiffs motion is timely, as the statute of limitations for the underlying claim of defamation has not yet run and Plaintiffs move to file their Amended Complaint in the earliest possible stage of this litigation, as the information necessitating amendment was only recently ascertained, and no trial date has yet been set. Therefore, no undue delay or prejudice will result should this Court allow Plaintiffs leave to amend. Additionally, granting this Motion would be in the interest of justice, allowing Plaintiffs to hold accountable all individuals and entities responsible for the harms that they have suffered. Further, allowing Plaintiffs to amend their Complaint would "promote[] judicial economy by avoiding the necessity for separate trials or for plaintiffs to file first a separate complaint and then a motion to join the two." Id.

For the foregoing reasons, and for such other reasons as may appear of record, Plaintiffs pray this Court grant their Motion for Leave to Amend Complaint and that they be permitted to file the proposed Amended Complaint attached hereto as Exhibit A.

This the $\frac{2}{3}$ day of October, 2017.

WOMBLE CARLYLE SANDRIDGE & RICE,

a Limited Liability Partnership

Pressly M. Millen Ripley Rand

555 Fayetteville Street, Suite 1100

Raleigh, North Carolina 27601

Telephone: (919) 755-2135 Facsimile: (919) 755-6067

Email: <u>pmillen@wcsr.com</u> rrand@wcsr.com

OF COUNSEL:

Anita S. Earls, N.C. Bar #15597
Allison J. Riggs, N.C. Bar #40028
Southern Coalition for Social Justice
1415 Highway 54, Suite 101
Durbam, NC 27707
Anita@southerncoalition.org
Allison@southerncoalition.org

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the foregoing document upon the attorney listed below by first-class mail, postage prepaid:

Marshall Hurley, Esq. Marshall Hurley, PLLC Suite 300 Gateway Business Center 2400 Freeman Mill Road Greensboro, NC 27406

This the __day of October, 2017.

WOMBLE CARLYLE SANDRIDGE & RICE,

a Limited Liability Partnership

Pressly M. Millen

Ripley Rand

555 Fayetteville Street, Suite 1100 Raleigh, North Carolina 27601

Telephone: (919) 755-2135
Facsimile: (919) 755-6067
Email: pmillen@wcsr.com
rand@wcsr.com

Attorneys for Plaintiffs

EXHIBIT A

NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
GUILFORD COUNTY	17 CVS
₩	es .
LOUIS M. BOUVIER, JR., KAREN)
ANDREA NIEHANS, SAMUEL R.)
NIEHANS, and JOSEPH D. GOLDEN,)
)
Plaintiffs,)
v.) AMENDED COMPLAINT
<u> </u>)
WILLIAM CLARK PORTER, IV,)
HOLTZMAN VOGEL JOSEFIAK	· ·
TORCHINSKY PLLC, STEVE)
ROBERTS, ERIN CLARK,)
GABRIELLA FALLON, STEVEN)
SAXE, and the PAT MCCRORY)
COMMITTEE LEGAL DEFENSE FUND,)
)
Defendants.	Ĵ
	1.40

Plaintiffs Louis M. Bouvier, Jr., Karen Andrea Niehans, Samuel R. Niehans, and Joseph D. Golden, by and through their undersigned counsel, complain of Defendants as follows:

SUMMARY OF THE ACTION

1. This is a class action suit for defamation and civil conspiracy brought by a group of duly registered North Carolina voters who were falsely accused by some, if not all, Defendants, of illegal voting during the 2016 General Election. Plaintiffs are seeking, in addition to damages resulting from the defamation, to enjoin Defendants from further interference with the voting rights of Plaintiffs and other duly registered voters.

PARTIES

2. Plaintiff Louis M. Bouvier, Jr., is a resident of Greensboro, North Carolina, and a registered voter in Guilford County. He is registered as unaffiliated with any political party and

in past election seasons, has voted in both Republican and Democratic primaries. He is 74 years old and has voted in Guilford County since at least as early as 1988.

- 3. Plaintiffs Karen Andrea Niehans and Samuel R. Niehans are residents of Jamestown, North Carolina, and registered voters in Guilford County. They are registered Democrats who moved to North Carolina from Wisconsin in 2016 and voted in North Carolina for the first time in the 2016 General Election.
- 4. Plaintiff Joseph D. Golden is a resident of Southport, North Carolina and a registered voter in Brunswick County. He is a registered Democrat who moved to North Carolina from Maryland in 2016 and voted in North Carolina for the first time in the 2016 General Election.
- 5. Defendant William Clark Porter, IV, is, on information and belief, a resident of Greensboro, North Carolina.
- 6. Defendant Holtzman Vogel Josefiak Torchinsky PLLC ("Holtzman Vogel") is a law firm organized under the laws of Virginia, with offices in Warrenton, Virginia, and Washington, D.C.
- 7. Defendant Steve Roberts is an attorney employed by Holtzman Vogel and, on information and belief, is a resident of Virginia.
- 8. Defendant Erin Clark is an attorney employed by Holtzman Vogel and, on information and belief, is a resident of Virginia.
- 9. Defendant Gabrielle Fallon is an attorney employed by Holtzman Vogel and, on information and belief, is a resident of Virginia.
- 10. Defendant Steven Saxe is an attorney employed by Holtzman Vogel and, on information and belief, is a resident of Virginia.

11. Defendant the Pat McCrory Committee Legal Defense Fund is an entity formed under North Carolina election law for the purposes of funding legal action taken by the then-Governor, Pat McCrory, as part of his campaign for re-election in 2016. Its appointed treasurer is Jon Massachi, who is subject to duties, responsibilities, penalties, and sanctions established in Subchapter VIII, Regulation of Election Campaigns, of Chapter 163 of the North Carolina General Statutes.

JURISDICTION AND VENUE

- 12. This is a class action for defamation and civil conspiracy under North Carolina law. This Court has jurisdiction over Plaintiffs and Defendants pursuant to N.C. Gen. Stat. § 1-75.4. All Plaintiffs are natural persons domiciled in North Carolina, Defendant Porter is a natural person domiciled in North Carolina, Defendant the Pat McCrory Committee Legal Defense Fund is organized under North Carolina election law and its officers are domiciled in North Carolina, and Defendants Holtzman Vogel, Roberts, Clark, Fallon, and Saxe are engaged in substantial activity within North Carolina. Furthermore, the claims arise out of acts that occurred within North Carolina. The amount in controversy is in excess of \$25,000 under N.C. Gen. Stat. § 7A-243.
 - 13. Venue is proper in this County under N.C.G.S. § 1-82.

FACTS

A. The 2016 General Election

14. The 2016 General Election took place on November 8, 2016. In the weeks prior to November 8, 2016, for the 17-day period beginning October 19 and ending on November 5, 2016, voters were able to cast their ballots early using one-stop absentee voting.

- 15. Each of the Guilford County Plaintiffs in this case took advantage of one-stop absentee voting and voted in the 2016 General Election prior to Election Day.
- 16. Plaintiff Golden likewise took advantage of one-stop absentee voting in Brunswick County and voted in the 2016 General Election prior to Election Day.

B. The Defendants Libel The Plaintiffs

- 17. After Election Day, on November 7, 2016, in the wake of a close race for governor, then-Governor Pat McCrory trailed now-Governor Roy Cooper by approximately 5,000 votes. Then-Governor McCrory refused to concede the election.
- 18. On or about November 9, 2016, paperwork was filed with the North Carolina State Board of Elections to create the Pat McCrory Committee Legal Defense Fund.
- 19. The law firm of Holtzman Vogel was hired as legal counsel to the Pat McCrory Committee Legal Defense Fund.
- 20. In the days and weeks after Election Day, election protests were filed in excess of 50 of North Carolina's 100 counties, each alleging that registered voters had committed felony voter fraud when voting while ineligible to vote. These accusations included ones of double voting, voting while ineligible because of a felony conviction, and voting in the name of dead voters. Double voting, voting while ineligible because of a felony conviction, and voting in the name of dead voters are all prohibited by N.C. Gen. Stat. § 163-275, and such conduct is pumishable as a felony under North Carolina law.
- 21. Attorneys with the Holtzman Vogel law firm, in representing the Pat McCrory Committee Legal Defense Fund, arranged for individuals to file those election protests in each of those counties in which an election protest was filed.

- On November 17, 2016, Defendant Porter filed two documents with the Guilford County Board of Elections which are at issue here. Both documents were filed on a form styled "Election Protest." On each form, Defendant is listed as the "person filing the protest" and both forms state that he is a "[r]egistered voter" eligible to vote in the protested election. Both forms also list Defendant as the sole witness "to any misconduct alleged by you in this protest."
- 23. Both forms answer "[y]es" to the question "[h]ave you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests." Both forms, in a line designated "Signature of Protester," also contain a signature of "William Porter" with the added words "authorized by /spr." Upon information and belief, "spr" is Defendant Steve Roberts.
 - 24. In one of the "Elections Protests," it states that:

Upon review of early voting files from other states, it appears that nine (9) individuals cast ballots in both North Carolina and another state. Casting a ballot in more than one state is a clear violation of North Carolina and federal elections laws.

The form does not state the source of the "early voting files from other states."

- 25. That same form goes on to state that "[i]n violation of the statutes provided for above, invalid ballots were cast by the following persons known to have voted in multiple states." Among nine voters alleged to have votes in multiple states are Plaintiffs Bouvier and Mr. and Ms. Niebans who are listed in the document filed by both name and street address.
- 26. Contrary to the allegations made by Defendant Porter in his first "Election Protest," Plaintiffs Bouvier and Mr. and Ms. Niehans voted only in North Carolina during the 2016 General Election and did not vote in any other state.

- 27. On November 17, 2016, Defendant Erin Clark, employed by the Holtzman Vogel law firm, filed another document with the Brunswick County Board of Elections which is also at issue here. The document was likewise on a form styled "Election Protest." On each form, Joe Agovino is listed as the "person filing the protest" and both forms state that he is a "[r]egistered voter" eligible to vote in the protested election. The form also states that Mr. Agovino is the sole witness "to any misconduct alleged by you in this protest."
- 28. On the submitted form, the protestor again answered "[y]es" to the question "[h]ave you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests." Mr. Agovino signed the form, but it was submitted to the Brunswick County Board of Elections on his behalf by Attorney Erin Clark. Upon information and belief, the protest was drafted by, and based on information in the possession of, Defendant Clark and Defendant Holtzman Vogel.
- 29. That same form goes on to state that "[i]n violation of the statutes provided for above, invalid ballots were cast by the following persons known to have voted in multiple states." The form then names Plaintiff Golden, who is listed in the document filed by both name and street address.
- 30. Upon information and belief, because Defendants Clark and Holtzman Vogel would not provide Mr. Agovino with any information to support the claims made in the "Election Protest," Mr. Agovino withdrew his protest on the day of the hearing on the "Election Protest" before the Brunswick County Board of Elections.

- 31. Contrary to the allegations made by Mr. Agovino in his "Election Protest," as drafted and submitted by Defendants Clark and Holtzman Vogel, Plaintiff Golden voted only in North Carolina during the 2016 General Election and did not vote in any other state.
- 32. Defendants Holtzman Vogel, Roberts, Clark, Fallon, and Saxe conspired with Defendant the Pat McCrory Committee Legal Defense Fund and Defendant Porter, among others, to defame Plaintiffs, accusing them wrongly of committing felony conduct of double voting, of voting while ineligible because of a felony conviction, or of voting in the name of dead voters, and causing them injury to their reputations and emotional distress and harm.
- 33. Defendant Steve Roberts also submitted election protests on behalf of protestors, or otherwise caused protests to be submitted, in Granville, Forsyth, Moore, Northampton, Halifax, and Wayne Counties in North Carolina.
- 34. Defendant Erin Clark also submitted election protests on behalf of protestors, or otherwise caused protests to be submitted, in Beaufort, Johnston, Mecklenburg, Cumberland, and Stokes Counties in North Carolina.
- 35. Defendant Gabriella Fallon submitted an election protest on behalf of a protestor in Wake County, North Carolina.
- 36. Defendant Steven Saxe submitted election protests on behalf of protestors, or otherwise caused protests to be submitted, in Orange, Lee, and Buncombe Counties in North Carolina.
- 37. Defendants' false accusations against Plaintiffs subjected them to adverse publicity locally, state-wide, and even nationally, as various media reported the allegations and then elaborated on them. This embarrassment and harm to their reputations was compounded by the fact that public hearings were noticed and held to consider Defendants' accusations, which

was further reported in the media. Each of the Defendants' "Elections Protests" were ultimately dismissed as meritless or withdrawn.

CLASS ACTION ALLEGATIONS

38. Plaintiffs bring this action on behalf of themselves and all others similarly situated (the "Proposed Class"), pursuant to Rule 23 of the North Carolina Rules of Civil Procedure. The Proposed Class is defined as follows:

All registered North Carolina voters who were wrongly identified as having engaged in voting irregularities in connection with the 2016 General Election in putative Election Protests filed by Defendants. Excluded from the Proposed Class are any and all judges, justices, chambers' staff, jurous assigned to hear or adjudicate any aspect of this litigation, and members of their immediate families.

- 39. Based upon the number of putative Election Protests filed by Defendants, there are, on information and belief, over 100 Proposed Class members. Joinder of all members of the Class, therefore, is not practicable.
- 40. The questions of law and fact common to the Proposed Class include but are not limited to:
- a. whether accusations made by Defendants in the context of one or more improperly filed Election Protests against Plaintiffs and members of the Proposed Class, alleging that they committed felony voter fraud, constitute defamation per se;
- b. whether Defendants made the statements and took the actions described above with malice or reckless disregard of their falsity in order to harm Plaintiffs and members of the Proposed Class;
- c. whether Defendants acted in conspiracy to so defame Plaintiffs and members of the proposed class;

- d the type and measure of damages suffered by Plaintiffs and the Proposed.

 Class.
- 41. These and other questions of law and fact are common to the Proposed Class, and predominate over any questions affecting only individual members of the Proposed Class.
 - 42. Plaintiffs' claims are typical of the claims of the Proposed Class.
- 43. Plaintiffs will fairly and adequately represent the interests of the Proposed Class and they have no conflict with the interests of the Proposed Class.
- 44. Defendants have acted on grounds generally applicable to the Proposed Class, thereby making final injunctive relies appropriate with respect to the Proposed Class as a whole.
- 45. This class action is super of the alternatives of any, for the fair and efficient adjudication of this controversy. There will be no material disculty in the management of this action as a class action. Prosecution as a class action will eliminate the possibility of repetitive, duplicative, and potentially inconsistent litigation that would waste the resources of the parties and the courts.

FIRST CLAIM FOR RELIEF-LIBEL

- 46. The allegations of Paragraphs I through 45 are realleged and incorporated herein by this reference.
- 47. The statements made by Defendants concerning Plaintiffs in "Election Protests" filed across the state were false publications wrongly accusing Plaintiffs of a crime, namely illegal voting. Defendants' false statements also tended to subject Plaintiffs to ridicule, contempt, or disgrace. Those libelous statements were false when made, were made without regard to their truth and falsity, were made without justification, and were made for the purpose

and with the intent of damaging the reputations of Plaintiffs or with reckless disregard of their affect on the reputations of Plaintiffs.

- 48. Those statements have impeached, injured, and damaged Plaintiffs.
- 49. As an actual and proximate cause of Defendants' conduct in making such false statements, Plaintiffs have sustained harm, including damages in an amount to be determined at trial but reasonably believed to be in excess of \$25,000.

SECOND CLAIM FOR RELIEF—CIVIL CONSPIRACY

- 50. Paragraphs 1 through 49 of this Complaint are realleged and incorporated herein by this reference.
- 51. Defendants conspired together to make the statements and take the actions described above—overt and wrongful acts—as part of a common scheme, among other goals, to delay certification of the election and suggest that voter fraud affected the election results.
 - 52. Plaintiffs and the entire class were injured as a result of that conspiracy.

THIRD CLAIM FOR RELIEF - PUNITIVE DAMAGES

- 53. Paragraphs 1 through 52 of this Complaint are realleged and incorporated herein by this reference
- 54. Defendants made the statements and took the actions described above with malice or reckless disregard of their falsity in order to harm Plaintiffs.
- 55. Defendants acted willfully and/or wantonly in making the statements described above.
- 56. Pursuant to N.C. Gen. Stat. § 1D-1, Plaintiffs are entitled to punitive damages for Defendants' conduct.

WHEREFORE, Plaintiffs pray to the Court that:

A. A preliminary and permanent injunction enter against Defendants and any and all persons in active concert or participation with them forbidding any further filing of Election Protests containing false and defamatory statements concerning these Plaintiffs or any other registered North Carolina voter,

- B. Plaintiffs receive actual damages in an amount sufficient to compensate them for their damages resulting from Defendants' conduct;
- C. Plaintiffs be allowed recovery of punitive damages pursuant to Chapter 1D of the North Carolina General Statutes;
- D. Plaintiff be allowed recovery from Defendants the costs and expenses incurred in this action, including attorney's fees;
 - E. Plaintiffs receive trial by jury of all issues so triable; and
 - F. Plaintiffs obtain such other and further relief as may be just and proper.

This, the _ th day of ______, 2017.

Anita S. Earls, N.C. Bar #15597
Allison J. Riggs, N.C. Bar #40028
Jaclyn Maffetore, N.C. Bar #50849
Southern Coalition for Social Justice
1415 Highway 54, Suite 101
Durham, N.C. 27707
Anita@southerncoalition.org
Allison@southerncoalition.org
Jaclyn@southerncoalition.org

Pressly M. Millen, N.C. Bar # 16178 Ripley Rand, N.C. Bar # 22275 Womble Carlyle Sandridge & Rice, LLP

Exhibit 2.2.2.1

198 of 278

P.O. Box 831
Raleigh, NC 27602
Telephone: 919-755-2150
Facsimile: 919-755-6067
pmillen@wcsr.com
rrand@wcsr.com

Counsel for Plaintiffs



The Deceit of Voter Fraud

By Bob Hall and Isela Gutierrez*

This report has four sections. The first section shares the reaction of voters harmed by the false charges of fraud generated by Gov. Pat McCrory's 2016 re-election campaign and the NC Republican Party; it ends with a call for a criminal investigation. The second section (pages 2-4) summarizes key events after the November 2016 election. The third section (pages 4-5) provides a summary of findings of wrongdoing, drawn from the county profiles in the fourth section (pages 5-16).

L VICTIMS AND CRIMINAL MISCONDUCT

"I was shocked and horrified and furious to learn our name was on a list with people who were alleged to have broken a federal law," said Anne Hughes of Moore County, North Carolina. She and her husband William were falsely accused of voting in two states by a local supporter of Gov. Pat McCrory's reelection.

In an apparent effort to overcome a narrow defeat, Gov. McCrory and his allies in the NC Republican Party (NCGOP) filed the legal paperwork and launched a media campaign to draw attention to the supposedly "invalid" ballots of Mr. and Mrs. Hughes and hundreds of other voters "known" to have committed a crime. By late November, the McCrory-NCGOP team had charged about 600 voters in 37 counties with committing fraud or casting suspect absentee ballots — but despite an avalanche of legal filings and the constant drumbeat of "serious voter fraud," nearly all the accusations proved to be false.

Aysha Nasir of Orange County thought she was targeted as an illegal voter because of her Muslimsounding name. She felt harassed and vulnerable. "You obey the law, you do all the suff you're supposed to, and then some person just randomly, without any burden of proof, can accuse you of breaking the law," she said.

Joseph Golden, a Brunswick County voter accused of double voting, felt upset and humiliated after seeing his name appear on the front pages of three area newspapers. As a newcomer to the county, he was especially disturbed that someone on social media called him out and wrote, "There's a cheater amongst us."

Another falsely accused voter, Robert Chadwick of Wake County, said, "It was a total shock. It really hurt me."

Hughes, Nasir, Golden, and Chadwick are the victims of irresponsible charges of voter fraud filed by agents of the Pat McCrory campaign and NC Republican Party. They are the innocent casualties of what happens when outrageous claims of voter fraud are used as a weapon for political gain. In truth, we are all harmed by this strategy because it undermines public faith in the election process and is often used to justify irrational barriers to voting.

The McCrory-NCGOP's use of voter fraud goes even further. Democracy North Carolina talked with dozens of voter-victims, county election officials, and the Republicans involved in filing charges of fraud in various counties. This report, based on those interviews and a review of public records, reveals that the McCrory campaign and NC Republican Party engaged in a coordinated legal and publicity crusade to disrupt, and potentially corrupt, the elections process with what amounted to fraudulent charges of voter fraud.

The crusade did not stop even after McCrory's attorneys were told by some elections officials that their claims were wrong, that they were confusing voters' names with other people, that they were using bad data. Instead of stopping, the attorneys caused more charges to be filed that maligned more innocent voters. And, in conjunction with the NC Republican Party, they continued a coordinated

^{*}Bob Hall is executive director and Isela Gutierrez is associate research director of Democracy North Carolina. This report, written in April 2017, is available at www.democracy-nc.org or contact Democracy NC, 1821 Green St., Durham, NC 27705; 919-286-6000.

attack on the legitimacy of certain ballots and the election outcome, despite the clear harm inflicted on individual voters and the election process.

Carol Turner, a Moore County voter falsely accused of committing fraud, asked us a crucial question: "Where are the laws that protect those of us who haven't done anything wrong and allow those who want to make up these stories to be able to do that?"

Based on our interviews and research, Democracy North Carolina is calling on state and federal officials to undertake a criminal investigation into the activities of the attorneys and other agents of the Pat McCrory campaign and NC Republican Party that may have violated state and federal laws, particularly laws against harassing and intimidating innocent voters, corrupting the election process, and obstructing the election canvass. Relevant statutes include 18 U.S.C. § 594; 18 U.S.C. § 241; NCGS § 163-274(3); NCGS § 163-275(4); and NCGS § 163-275(17).

H. THE CRUSADE

On election night 2016, Gov. Pat McCrory thought he won reelection — until late returns from Durham County put Roy Cooper ahead by about 5,000 votes out of 4.7 million cast. For the next month, the McCrory campaign and NC Republican Party waged a vigorous crusade to give McCrory the victory he feit he deserved. The chief weapon became the "election protest," a legal proceeding designed to pinpoint and remedy serious mistakes, misconduct and other "irregularities" that could impact the outcome of an election. Within 24 hours of the polls closing, the McCrory-NCGOP team began deploying resources to research and prepare election protests in counties across the state.

What began as an understandable call for Durham County to review its procedures for handling 94,000 ballots soon devolved into bombastic allegations of widespread "voter fraud" in dozens of counties. The discovery that a small number of African-American members of the Bladen County Improvement Association signed as witnesses for hundreds of absentee ballots in Bladen County – which is not illegal – became the flimsy basis for the McCrory-NCGOP team to protest over 400 absentee ballots in Bladen, Halifax, Greene, Franklin, and other

SOME RELEVANT STATUTES

Federal Law, U.S. Code

18 U.S.C. § 594 Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, ..., shall be fined under this title or imprisoned not more than one year, or both.

18.U.S.C. § 241 If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, . . . In the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same [t]hey shall be fined under this title or imprisoned not more than ten years, or both.

NC General Statutes: It shall be unlawful

NCGS § 163-274(3) For any person to . . . interfere with the possession of any ballot box, election book, ballot, or return sheet by those entitled to possession of the same under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer or member of any board of elections;

NCGS § 163-275(4) For any person knowingly to swear falsely with respect to any matter pertaining to any primary or election.

NCGS § 163-275(17) For any person, directly or indirectly, to misrepresent the law to the public through mass mailing or any other means of communication where the intent and the effect is to intimidate or discourage potential voters from exercising their lawful right to vote.

counties with African-American voter mobilization groups. In addition, the McCrory-NCGOP team used a deeply flawed data-matching process to file protests accusing 119 individuals, by name, of committing fraud by either (1) voting while serving a felony sentence or (2) voting in two states. Another set of protests sent to county boards of elections identified 23 ballots cast by "dead voters," which turned out to mean the voter died before Election Day after casting a ballot early, i.e., there was no fraud.

Altogether, not counting the live/dead voters, allegations of illegal voting directly affected about

600 ballots across the state, while insinuations of greater fraud and malfeasance reached into six figures. Ultimately, officials at the Republican-controlled boards of elections upheld the Durham County vote count, dismissed dozens of protests in other counties, and determined that fewer than 30 of the 600 allegedly suspect ballots were illegally cast or counted – and, importantly, most of those were apparently cast by accident or out of ignorance of the voting rules for probationers, rather than an intent to cheat.

In short, more than 95 percent of the 600 ballots identified in protests were cast by legal voters.

Through open records requests and interviews, Democracy NC determined that a majority of the protests were prepared and sent by email to the county boards of elections by attorneys retained by the McCrory campaign from the Warrenton, VA-based law firm of Holtzman Vogel Josefiak Torchinsky (HVJT). The attorneys also prepared a smaller number of similar protests that local Republican officials hand-delivered to their county board of elections. Disclosure reports on the State Board of Elections' website indicate the Pat McCrory Committee and Pat McCrory Committee Legal Defense Fund paid the HVJT law firm \$98,000 in late November and December 2016.

A barrage of near-daily media releases and press conferences made it seem like the election outcome hung on the balance of ferreting out fraudulent ballots. "With each passing day, we discover more and more cases of voting fraud and irregularities," said McCrory campaign manager Russell Peck. "We intend to make sure that every vote is properly counted and serious voter fraud concerns are addressed before the results of the election can be determined." The McCrory campaign claimed protests were being filed against voter fraud in 52 counties and against tainted absentee ballots in 12 counties — but about a third of each type of protest never materialized.

As a candidate, Pat McCrory could have personally signed each of the protests. But, for whatever reason, the NC Republican Party and McCrory campaign coordinated a large effort to find a local registered voter to sign each county's protest. Generally, they chose an officer in the county Republican Party who was not a lawyer and who readily agreed to sign the protest without much

knowledge of evidence behind its accusations. In some cases, the officer simply authorized the attorney to sign for them by email or over the phone. Protests need not be notarized, and the protest signer need not supply evidence to back up a charge or specifically attest that the statements are truthful. (Thanks in part to the complaints of innocent voters, the troubling ease with which a person can file a claim of voter fraud is being addressed through the development of a new protest form by the State Board of Elections.)

Filing an election protest sets in motion a legal proceeding with a three-step process outlined in state law: (1) a determination that the protest makes a proper claim; (2) a preliminary hearing to decide if there is probable cause for a full hearing; and (3) a full hearing with the protestor and parties affected to resolve the issues identified. Different county boards of elections dismissed the McCrory protests at

More than 95 percent of the 600 ballots identified in protests were cast by legal voters.

different stages, sometimes for as simple a reason as it named the wrong voter as a felon or it challenged the eligibility of a voter's registration rather than claim a violation significantly impacted the vote count in an election.

The McCrory attorneys submitted the largest wave of protests on November 17, the day before the 100 county boards were scheduled to conduct the official canvass to certify the 2016 election results. It quickly became apparent that many of the protests maligned innocent voters. For example, in a series of follow-up emails, all on November 17, the Stokes County board of elections director queried an attomey from the HVJT law firm and pointed out that the protest she sent named a voter as a felon who had a different middle name and lived in a different city from the felon identified by the attorney. The attorney thanked the director and wrote, "I will certainly look into it." However, she did not withdraw the protest, which could have spared the voter from having his name appear in two newspapers as someone accused of voter fraud.

Rather than retreat, the McCrory-NCGOP publicists escalated their rhetoric about voter fraud.

and the team's attorneys continued to disrupt and delay certification of a winner with more protests and legal appeals. As more county boards of elections rejected the faulty protests, the McCrory-NCGOP team unsuccessfully filed new appeals and tried other legal maneuvers to convince the Republican majority on the State Board of Elections to rule that the election was riddled with fraud and irregularities. Some Republican leaders continued to inflate the magnitude of "serious voter fraud," but a majority of Republican election officials ultimately would not go along.

Finally, on December 5, Pat McCrory conceded defeat. By then, with provisional ballots and late absentee ballots tallied, he trailed Roy Cooper by more than 10,000 votes, which exceeded the margin to qualify for an automatic recount.

Why would the McCrory-NCGOP team mount such a giant legal and publicity campaign with so few cases of actual fraud? It's possible they hoped to establish enough confusion about the fairness of the election to trigger a state law (NCGS 163-182.13A) that would allow the Republican-controlled General Assembly to determine the winner. Whatever the plan, it failed — but not without inflicting substantial damage.

For weeks, media reports bombarded the public with allegations of voter fraud and dozens of innocent voters had their reputations impugned and lives disrupted. Fortunately, elections officials stopped the coordinated use of phony protests to corrupt the election results, but they cannot undo the corrosive impact of voter-fraud hysteria on people's faith in fair elections. The McCrory-NCGOP agents behind any proven acts of corruption or voter harassment should be held accountable to the fullest extent possible under federal and state laws.

III. FINDINGS OF WRONGDOING

The county-by-county descriptions in the next section of this report help illuminate why four voters in Guilford County filed a <u>defamation lawsuit</u> in February 2017 against the man who wrongfully accused them of voter fraud. Other civil lawsuits may follow. But it will likely take a criminal investigation to go behind the local protest filer to uncover a larger pattern of illegal activities and, as appropriate, hold accountable the attorneys and other

architects of the McCrory-NCGOP crusade.

Many details vary in the next section's profiles of the protests filed in counties. The victims varied by age, race, gender, and party affiliation. Most of those accused of voting in two states were first-time voters in North Carolina. Most of those accused of voting while serving a felony sentence are Black. Most

Some Republican leaders continued to inflate the magnitude of fraud, but ultimately the majority of Republican election officials would not go along.

striking are the common features that reveal a coordinated plan to potentially corrupt the 2016 election with a multitude of unsubstantiated charges of election fraud and irregularities, without regard for the harassment and harm inflicted on innocent voters.

Important findings from the county-by-county profiles in Section IV include the following:

- Agents of the McCrory campaign prepared Election Protests charging individuals with voter fraud and then recruited local Republican leaders to file the protests without revealing to them the tenuous nature of the charges.
- Even after the protest filer requested additional information, agents of the McCrory campaign failed to provide the person with substantiating evidence of the allegations. Many of the local Republican protest filers said they were "left hanging," "got screwed," or felt "disappointed" or even "victimized."
- The protests were all, or nearly all, prepared by attorneys with the law firm of Holtzman Vogel Josefiak Torchinsky, based in Warrenton, VA.
 The protests were apparently hurriedly produced and often contained sloppy errors, incorrect references, and false or misleading information.
- A minimum level of research would have revealed that dozens of the individuals charged with voter fraud in the protests were completely innocent. (For example, with a little practice, it takes less than 10 minutes to compare a voter's name and age on North Carolina's voter registration and criminal offender databases.)

- Agents of the McCrory campaign continued to pursue legal proceedings against individual voters even after county elections officials informed them that an allegation of voter fraud was false.
 Rather than alert the protest filer, the agent allowed the proceeding to continue.
- In a rare case where a McCrory campaign official provided a sworn affidavit to support an allegation, the facts about the accused voter contradicted statements in the affidavit; i.e., the accused voter was decades older then the felon he supposedly matched, which would quickly be recognized if age was used to match a felon list with a voter list, as the sworn statement claimed.
- Attorneys with the HVJT law firm did not follow-up the protests they submitted by appearing at the preliminary hearings; they also told local protest filers they did not need to appear. County boards of elections often dismissed protests because they received no evidence to back up accusations. The lack of follow up raises questions about the real purpose of filing a blitz of protests. Was it was only a show to bolster the intense publicity about voter fraud tainting a fair election?
- In some cases, protest filers who did their own independent research continued to pursue legal proceedings against individual voters even after discovering that the voter fraud charges were false and individuals were completely innocent.
- Attorneys for the McCrory campaign and NC Republican Party continued to intervene and subvert the election with claims against voters that had been exposed as false, using new legal proceedings based on allegations that they knew or should have known were largely false.
- The proceedings subverted and delayed the regular canvasses, diverted staff and administrative resources, threatened to corrupt the results of a fair election, and burdened county and state boards of elections with complex legal, research and logistical problems at a time when they were already under great stress to finalize the election.
- The accusations harassed and harmed individual voters emotionally, damaged their reputations, exposed them to public ridicule, intimidated them with unfamiliar and warrantless legal proceedings to void their ballot, and maligned their character.

14. County profiles

STOKES COUNTY

On November 17, 2016, Jason Perry, director of the Stokes County Board of Elections, received an email with an attached protest signed by Susan McBride, a Stokes County Republican activist. The email came from the Virginia law firm of Holtzman Vogel Josefiak Torchinsky, which represented the McCrory campaign. The protest said Larry G. Smith cast an "invalid" ballot because he was "adjudged guilty of a felony." Director Perry sent Susan McBride an email asking for information showing that Smith was serving a felony sentence. Shortly thereafter, Erin

Even after the McCrory attorneys learned that the protests named the wrong people, they continued to send protests naming innocent voters.

Clark of HVJT sent Perry an email, saying McBride had forwarded the request to her, and she provided a hot link to the offender search tool on the NC Department of Public Safety's website. Perry wrote back to Clark: "The website regarding state felons is what I was using. I'm not currently seeing this particular individual listed." Clark sent back the link to a specific offended, with the note: "This is the guy."

Perry wrote back two more times on November 17 and explained again that the voter being charged in the protest was Larry G. Smith and not Larry D. Smith, the felon referenced by Clark's web link. Perry told Clark he checked with county sheriff's office and they also "couldn't find anything regarding Larry Gray Smith" with a felony conviction but did find Larry D. Smith, who was convicted and also removed from the registration rolls in Wilkes County. "That's about 1.5 hours or so away from Stokes County," added Perry. "I didn't find anything for Larry G. Smith, whose voter registration in Stokes County dates back to 1992."

In response, Erin Clark of the law firm wrote, "I will certainly look into it. Thank you for the open dialogue, I really appreciate it." That's the last that



Perry heard from her. Instead of withdrawing the protest or notifying Susan McBride to withdraw it, the process continued. Perry's board met and scheduled a preliminary hearing. He notified the law firm and Susan McBride but heard nothing back. On November 21, the board convened and Perry presented the email exchange, information about Larry D. Smith's voting and criminal records, and information about Larry G. Smith, including his handgun permit indicating his non-felony status. According to the minutes of the meeting, the board chair "noted that he knew Larry Gray Smith and had spoken to him earlier in the day" to let him know about the charge against him, and Smith "said he is in fact not a felon." The minutes record that Susan McBride, the accuser, attended the meeting but when asked, "She did not provide any additional information regarding the protest." The Republicanmajority board dismissed the protest by a unanimous vote.

A couple days later, Larry G. Smith told a reporter with the News & Observer that he was glad "everything's straightened out." He added, "The sad part of it is I voted for McCrory." (Indeed, the innocent voters Democracy NC interviewed included several Republicans or voters who supported McCrory.)

ALAMANCE COUNTY

Steven Carter, a local Republican activist, said he was asked to file the protests "by an attorney from the Pat McCrory campaign." He thought they would send him some documentation to back up the protest or at least have the material to present at the hearing. But they didn't.

Jennifer Hook came home from the night shift to find a notice about a hearing regarding Carter's charge that she had voted in two different states. It was her anniversary and she planned to get some sleep before a celebration dinner. Instead, "my whole day was ruined," she said. She became "very scared" and called her mother in Maryland. She was worried because she had never voted in person before and thought she may have done something wrong. She wondered if she needed a lawyer. The date of the hearing on the notice had passed, but when she called the Alamance County Board of Elections, she was told it had been rescheduled to that very day, beginning in less than an hour.

Hook rushed to the county elections office in Graham and didn't realize her accuser, Steven Carter, was there. "They asked me if I knew him and I told them I've never seen him before and he said he'd never seen me." After some additional questions, she and a county staff person left to contact election officials in Baltimore who verified that they had sent Hook an absentee ballot for the primary, which was not returned, and did not send her anything for the November election. Armed with that information, they returned to the hearing, and the protest was finally dismissed.

While they were out of the room, the board considered the protest regarding two voters alleged to have current felony convictions. The elections staff found that one voter was indeed serving a felony sentence that began in mid-September. The other voter, Ricky M. Long, had long ago finished his felony sentence and was currently on probation for a misdemeanor offense. After prolonged discussed, the board agreed that he was eligible to vote. Reached in March 2017, Long was not happy with being accused of voter fraud. "That's crazy," he told Democracy North Carolina. "I've voted in the past four elections. No problem. Now somebody's saying this about me!? That don't make any sense."

Steven Carter, who signed the protest, also wound up feeling frustrated by the experience. He expected to see the McCrory attorney at the hearing with solid evidence. A Republican attorney attended but had nothing to offer. "I was kind of left screwed," Carter told us. The whole thing "was a pain in the butt," he said. "I won't do it again."

CUMBERLAND COUNTY

Jerry Reinoehl, a Republican activist who has challenged voters in the county in the past, told Democracy North Carolina that the "McCrory legal defense team" asked him to file two protests – one naming a voter "adjudged guilty of a felony," according to the protest, and the other naming seven voters who the protest said were "known to have voted in multiple states." The two protests with Reinoehl's signature were sent to the Cumberland County Board of Elections in an email on November 17 by attorney Erin Clark of the HVJT law firm.

Clark told Reinoehl he didn't need to attend the preliminary hearing for the protest, but he went

anyway — and nobody from the McCrory team showed up. "I was left to hang out to dry," he said. "I suspected I would be disappointed." He's been "victimized" by the poor research of the Republican Party in the past, he said, so he did his own research before the meeting, using the commercial website BeenVerified and his frequent downloads of records from the State Board of Elections.

He easily confirmed the person identified with a felony had been convicted in early October, but he could only confirm that one of the seven people accused of voting in two states had done so. The others seemed to be cases of confusing a Jr. and Sr. or some other form of "mistaken identity," he said. He was disappointed that the McCrory/NCGOP legal team "didn't do their research to sort it out," and he wrote them a memo criticizing their inferior work.

"I was left to hang out to dry....[The McCrory/NCGOP legal team] didn't do their research." - Jerry Reinoehl, local Republican who filed the protest

At the preliminary hearing on November 21, Reinoehl presented some information, but only the board chair supported taking the matter to a full hearing; the protests were dismissed by a 2 to 1 vote. Reinoehl was unhappy the protests were lumped together into one motion, but when asked if he told the board that the focus should be on the two illegal votes he personally verified and that six of the accused were innocent, he said, "No, I didn't let them know. I intended to withdraw those if it got past the initial hearing." He still feels part of his protest is "going to be successful" because details about the two voters were sent to the State Board of Elections and referred to the local district attorney for further action.

One of the innocent voters doesn't see the protest as "successful." Betty B. Adams, accused of double voting, was outraged when she received the elections board's notice about the charge against her. "I was literally shocked. I was upset for several days," she said. "I was thinking about suing whoever was behind this." She's been involved in grassroots politics for years and is disturbed to see "things going backwards." She called the protests part of a "voter suppression" effort.

BUNCOMBE COUNTY

Attorney Steven Saxe of the Virginia law firm sent two protests to Buncombe County Board of Election on November 23 - nearly a week after his colleague Erin Clark learned about her faulty protest for Stokes County and several days after multiple counties dismissed protests for a lack of evidence or mistaken identity. The two protests were signed by Eldon S. (Buck) Newton III, the losing Republican candidate for Attorney General. One protest alleged a dead person cast a ballot, which turned out to mean the person died before Election Day, after casting a ballot early. The other protest from Newton said the board "must invalidate" the ballot of Earl Lordman of Asheville because he is a person "adjudged guilty of a felony." But that accusation is completely false. Lordman is not serving a felony sentence, nor has he ever been "adjudged guilty of a felony."

The protest against Lordman is unusual not only because it was filed after canvass day by a candidate for NC Attorney General; it was also accompanied by a sworn affidavit supporting the research behind the allegation. The affidavit from Ryan Terrill, who described himself as "the political director for the Pat McCrory Committee," said the McCrory Committee used "publicly available data" to compare criminal conviction and voting records "to identify voters who had improperly voted due to not having active voting rights for the 2016 General Election." And then he says, "To enhance the accuracy of these comparisons, the Pat McCrory Committee matched with multiple criteria, including both name and age information."

The affidavit included an appendix with copies of the criminal record of "Earl Lordman Jr," which included his age and date of birth. But the voter registration records show Earl Lordman Jr. lives at a different address in Buncombe County than the one given in the protest, which is the address for Earl Lordman Sr. Voter records confirm the ages of the two men are clearly different. Despite the swom affidavit, the protest confused Earl Lordman Jr. and Sr. Furthermore, the criminal record provided with the affidavit shows that Earl Lordman Jr. is not even serving a felony sentence; it shows he is on probation for a misdemeanor conviction, and the sentence for his prior felony conviction was completed in May 2014. In a double mistake, the

protest confused Earl Lordman Sr. with his son, who it turns out is also eligible to vote.

Lordman Sr. was unhappy and frustrated by being falsely accused. "Why are they causing a problem where there is no problem," he wondered. He thought "a higher threshold" of proof should be required before someone could misuse the system to put people's names in the public record as committing voter fraud. "It's sad," he said. "It should be stopped."

WAYNE COUNTY

Albert Artis Sr. of Pikeville was accused of voting in North Carolina and Georgia by Brent Heath, chair of the Wayne County Republican Party. The protest was emailed to the Wayne County Board of Elections by Steve Roberts, an attorney for the Pat McCrory campaign with the HVJT law firm. It said that Artis' cast an "invalid" ballot because he was "known to have voted in multiple states." We reached Artis in February 2017 at his son's home in Georgia. He explained that he and his wife spend several months each year in Georgia and often vote by absentee mail in North Carolina's fall elections. Told about being accused of also voting in Georgia in 2016, he said, "That's not right. It's not me. They've got me confused with somebody else."

Wayne County's daily newspaper, The Goldsboro News Argus, wrote about the Wayne County Board of Elections meeting where the protest against Artis was discussed, publishing his name and his hometown. "The people that filed the protest did not show up and did not present any evidence," Wayne County Elections Director Dane Beavers told the paper. "We had no grounds to rule on so it was dismissed."

But the accuser, Brent Heath, still thinks Albert Artis Sr. committed voted fraud. Reached at his home on March 5, 2017, Heath said that he filed the protest "in conjunction with the McCrory campaign." He said, "They provided some information but I did the research." He felt "confident it is accurate." His research found that Artis voted in Georgia and was registered at the same Georgia address where his North Carolina absentee ballot was sent. When told that Artis was staying at the home of his son Albert Artis Jr. and perhaps he got the two men confused, Heath insisted

he was "absolutely" certain Artis Sr. voted in Georgia. He said "the date of birth and everything" matched up with Artis Sr. But Heath is wrong. A call to the Gwinnett County Voter Registration and Elections Office revealed that Artis Sr., age 73, is not registered, but Artis Jr. is. He's the one who voted in the November 2016 election from the Lawrenceville, GA address, not Albert Artis Sr.

HALIFAX COUNTY

On November 17, Steve Roberts, attorney for Pat McCrory's campaign at the HVJT law firm, sent a protest to the Halifax County Board of Elections signed by R. J. Myrick, vice chair of the Halifax County Republican Party. In the protest, Myrick alleged that "a scheme to operate an absentee ballot mail" was funded by the state Democratic Party through a local African-American political action committee and "used to harvest ballots voting for the Democratic slate of candidates." Myrick lists Jeff Hauser of Raleigh, then director of media affairs for the Pat McCrory campaign, as a witness of the "misconduct" which "appears to be similar to the pattern of witness signatures found in Bladen County, whereby one individual" witnesses many absentee ballots.

Myrick told Democracy NC that the protest was put together by the McCrory campaign or Republican headquarters in Raleigh. He said, "They couldn't find anybody to sign it so I agreed. I'm retired and have the time." He's not sure why the county Republican Party chair didn't sign, but they seemed in a rush to get the protest filed. "They were desperate to find someone."

The protest named two individuals who witnessed "at least 18" and "at least 6" absentee ballots, respectively. There is no law against a person being a witness for multiple absentee voters. Nevertheless, Myrick's protest asked the county elections board to "conduct a full investigation into these absentee ballots witnessed by multiple individuals, and review all witness signatures on these absentee ballot envelopes to look for evidence of obvious ballot harvesting." It then declared, "The confirmation of these allegations would cast doubt on the outcome of any number of elections up and down the ballot, including the historically close race for Governor."

At the protest hearing, Halifax County Board of

Elections Chair Sandra Partin, a Republican, said she reviewed Myrick's allegations about multiple ballots witnessed by the same person. "He doesn't go on to say how this is illegal," Partin said. "It's not. The law does not put a limit on how many witnesses [there can be]. He offers no proof as to why it should be illegal." The board found no evidence of misconduct and unanimously dismissed Myrick's protest.

After the meeting, the McCrory campaign told the News & Observer that it would appeal the Halifax County ruling and that similar allegations were being filed in a total of 12 counties about illegal absentee mills funded by the Democratic Party. "The evidence of this voter fraud must be taken seriously if we are going to have any faith in our system," declared Ricky Diaz, spokesman for the McCrory campaign.

U.S. Rep. G.K. Butterfield attended the hearing in Halifax County and came away with a different conclusion. "It's obviously a coordinated effort by Pat McCrory as he is going down in defeat to find some kind of creative ways to reverse his defeat," he told the N&O. "There's a direct correlation between the counties that were selected for challenges and the active participation of black political action committees. This is targeting the African-American community and their participation in the election."

Katherine Turner, one of the two individuals named in the Halifax County protest for signing as a witness to absentee ballots, told Democracy NC that she was "really shocked how that could be voter fraud." She received a notice about the hearing but it didn't say she needed to attend, so she didn't. She didn't see how being a witness could be a crime and bristled at the insinuation that she signed or filled out ballots in place of the voter. "That never happened," she said. "When I got word that I might be charged with voter fraud, I thought 'let them bring it on' because I know I did nothing wrong." She said she found the whole experience confusing, unnerving and very unpleasant.

BLADEN COUNTY

The McCrory-NCGOP claim about "a scheme to operate an absentee ballot mail" arose from an unusually large number of votes for a write-in candidate on the absentee ballots in Bladen County. The county board of elections began studying those

ballots and alerted the State Board of Elections of possible wrongdoing. The handwriting of one of the witness signatures often matched the handwriting on the write-in line of the ballot; if the witness helped the voter by filling in the candidate's name on the ballot, a box indicating the assistance should have been checked on the ballot envelope. There was a much bigger concern: Did the witness forge the voter's signature and illegally cast a ballot for another person?

On election night, the rumors of illegal voting caught up with L. McCrae Dowless, the incumbent candidate for Soil and Water Conservation District Supervisor. He watched the returns at the county board of elections office and saw the large number of votes for his opponent, Franklin Graham, the write-in candidate. The next day, he began asking more questions, and soon the chair of the Bladen County Republican Party called to see if he would talk with an attorney from the McCrory campaign. A handwriting expert had already been retained from the Charlotte area, and the McCrory-NCGOP team was ready to blow up her findings with a media splash and legal protest.

Dowless told Democracy NC he authorized an attorney from the HVJT law firm to sign his name to the protest and submit it to the Bladen County Board of Elections on November 15. He didn't see it or know the full extent of its allegations. The protest didn't hold back. It claimed "literally hundreds of fraudulent ballots were cast" as the result of "a massive scheme to run an absentee ballot mill involving hundreds of ballots, perpetrated by and through the Bladen County Improvement Association PAC," a political committee funded with donations from its local members, the NC Democrat Party, and Democratic candidates.

The McCrory campaign's press release said the evaluation of ballot envelopes by a handwriting expert provided "shocking evidence resulting from a blatant scheme to try to impact the voting results of an entire county and perhaps even sway statewide and federal elections," including the gubernatorial race. "With hundreds of fraudulent votes found in just one North Carolina county for a straight Democratic ticket, close examination of this election is required to make sure the true winner of the election is properly determined," said HVJT attorney Jason Torchinsky, described in the release as legal counsel for the Pat McCrory Committee Legal

Defense Fund. "The staggering evidence of voter fraud in Bladen County and the number of similar PACs that the North Carolina Democratic Party donated to shortly before the start of early vote requires close examination throughout the state."

The State Board of Elections already had investigators interviewing voters and members of the Bladen County Improvement Association PAC (BCIAC). After countless hours of research, local meetings and protest hearings, lots of statewide media attention, and an appeals hearing in Raleigh, the truth finally came out: neither the McCrory campaign nor the state's investigators could find a single case where a BCIAC member or volunteer forged a voter's signature or marked the ballot against the voter's wishes. At the end of the appeals hearing in Raleigh, the State Board members voted to dismiss the profest. (Ironically, the only evidence of a forged ballot presented at the appeals hearing pointed to a volunteer associated with Dowless' campaign who may have voted a stolen absentee ballot)

NORTHAMPTON COUNTY

Raymond Dyer, chair of the Northampton County Republican Party, emailed his protest about an "absentee ballot mill" to the Northampton County Board of Elections. Dyer told Democracy NC that he "got the stuff" from Steve Roberts, the McCrory campaign attorney with HVIT. He acknowledged that the protest didn't have details about his county and said Roberts explained he "couldn't provide any because of the ongoing investigation in Bladen County." The Northampton protest used the same language, format and general accusation as other protests about "harvesting" absentee ballots. This cookie-cutter approach often led to sloppy errors in the protests. For example, Raymond Dyer's protest in the Northampton County included this statement: "To confirm the integrity of the absentee ballots cast in Durham County, my representative visited the county's Board of Elections on November 16, 2016. ... to visually inspect the absentee ballots . . . I was denied access to visually review these documents." It is doubtful that Dyer went to Durham to review ballots cast in Northampton County.

Dyer's emailed protest apparently never reached the Northampton County Board of Elections. Board

director Susie Squire said she heard about the protest but never received it, so no action was taken by her board.

GREENE COUNTY

Sara Sparks, chair of the Greene County Republican County Party, hand delivered her protest alleging "a scheme to operate an absentee ballot mill." It also forgot to change "Durham County" in one part to "Greene County," but it included specific allegations, based on research by McCrory campaign staffer Jeff Hauser, that three Greene County residents witnessed "at least 72," "at least 11," and "at least 10 other" ballots, respectively.

Sparks said one of the staff people with the McCrory campaign asked her to sign the protest and put her in touch with the attorney who prepared it. "I really didn't write it or know anything about it," she told Democracy NC. "My name is on it, but I didn't write it." She hand delivered it to the Greene County Board of Elections and thought they handled the protest very well.

Board of Elections director Steve Hines said his office took the time to compare the voter's signature on absentee ballot to the signatures of the witnesses and to the signature on the voter's registration card. They found no irregularities. In addition, the individuals named in the protest for witnessing multiple ballots took the trouble of bringing sworn affidavits to the preliminary hearing attesting that they did not sign ballots in place of voters.

FRANKLIN COUNTY

Danny Pearce, a vice chair of the Franklin County Republican Party, delivered a protest about "an absentee ballot mill" to the Franklin County Board of Elections on November 17. The protest references the one filed in Bladen County and said that Emily Weeks, a staff member of the NC Republican Party in Raleigh (now press secretary for the NC GOP), "attempted to inspect absentee ballots or envelopes in Franklin County and was denied twice."

Lisa Goswick, director of the Franklin County Board of Elections, said Emily Weeks first came on November 9, the day after the election, which shows how quickly the McCrory/NCGOP team began taking action. Goswick asked her to come back when the crush of processing ballots slacked up a little. Pearce came several day later and received permission to look at the absentee ballot envelopes after the county board met about his protest.

Pearce told Democracy NC that he and his wife and Larry Norman, an attorney from Louisburg "sent by the Republican Party," looked over the ballot envelopes and found "about 40" that appeared to be witnessed by the same people. Pearce said the state GOP also sent "a young guy" who took notes and "was very evasive with us." Pearce said the protest and follow-up seemed to be coordinated through the attorney at the party, Tom Stark, who "was smack in the middle of it all."

Pearce became more suspicious when he saw that the witnesses were also active with a local African-American group, the Franklin County PAC, which the protest said received a donation from the NC Democratic Party. He compared the handwriting on their witness signatures to the voters' signatures and found nothing irregular. "I was hoping it would turn up something," he said, "but nothing was found."

MOORE COUNTY

The protest for Moore County was sent by email from Steve Roberts of the HVJT law firm and signed by John Rowerdink, chair of the Moore County Republican Party. It declared that ballots of four individuals should be invalidated because they "were cast by the following persons known to have voted in multiple states." Glenda Clendenin, director of the Moore County Board of Elections, said her staff researched the allegations and notified the voters about a preliminary hearing scheduled to determine if sufficient evidence justified holding a full hearing. Clendenin's research uncovered one of the rare cases where the evidence indicated that someone did vote in two states in the 2016 general election. Kaley I. Mulder, one of the four people accused by Rowerdink, apparently voted in Florida and North Carolina – and then she moved out of the county fairly quickly. The Moore County Board of Elections has referred her case to the local district attorney and the State Board of Elections.

The other three voters accused by Rowedink are completely innocent and still upset that he could so easily begin a legal proceeding against them with no evidence. "I was shocked and horrified and furious to learn our name was on a list with people who were alleged to have broken a federal law," said Anne Hughes who was accused with her husband. "There should be a higher burden before people are accused of voting in two states," added William Hughes. "Everybody should have the same right to be able to vote. It's the bedrock of democracy."

The fourth voter accused, Carol Ann Turner, made a special effort to cancel her registration in Maryland before the general election. "They need to provide proof before they accuse me of voting twice," she said about her accuser. She wondered why false claims of voter fraud are growing and getting more attention. "Where are the laws that protect those of us who haven't done anything wrong and allow those who want to make up these stories to be able to do that?" Turner said what she feels "is disbelief, it's anger, it's frustration, but most of all it's sadness that this is where we're at."

Rowerdink, the county Republican Party chair, has no regrets about filing the protest. "It sounded credible and I wanted to support the governor's campaign and didn't want fraud to occur," he told Democracy North Carolina. He had "no problem with filing it," but he said he withdrew the protest at the preliminary hearing because "the legal team never provided evidence to support the claims." He said he had an email exchange with McCrory's team before the hearing, trying to get something to back up the protest. "They were not very responsive," he said. "They left me hanging." Lacking anything more to present to the board, he withdrew the protest. He feels his effort was justified because the board's staff learned through its own research that one of the voters had voted twice.

LEE COUNTY

On November 17, attorney Steven P. Saxe of the HVIT law firm sent a protest to the Lee County Board of Elections that was signed by Charles Staley, chair of the Lee County Republican Party. The protest falsely accused one voter of voting while serving a felony sentence. Staley's protest said he made the accusation, "Based on a review of the public records." However, records at the NC Department of Public Safety clearly shows that the voter completed his felony sentence in January 1997, nearly a decade before the protest.

Staley told Democracy North Carolina he "spearheaded the complaint" but it came from the McCrory campaign. He didn't try to verify the information, but after the county board determined that the accused voter had finished his sentence, Staley said he "did my own investigation." Staley is a former probation officer and has access to a secure system to look up the status of probationers. He used that system to verify that the man was "an eligible voter."

Staley also said he saw the whole list of people being accused as felony voters by the McCrory campaign, but he didn't try to verify their status. "I was on the inside of it all," he said, but he recently retired, gave up his positions with the party, and is moving with his wife to Carteret County. He still believes that McCrory won the election and that votes were illegally added in Durham County after the election to give Roy Cooper and now Attorney General Josh Stein their victories.

James W. Creacy, the voter falsely accused by Staley, didn't like being pulled into a political fight and publicly charged with voter fraud because of a felony record from many years earlier. He wondered how he could get his record expunged so his name wouldn't be misused and his past wouldn't create new problems. "I'm 68 now. It's not fair," he said.

BRUNSWICK COUNTY

On November 17, attorney Erin Clark, attorney for Pat McCrory's campaign at the HVJT law firm, sent a protest to the Brunswick County Board of Elections signed by Joseph Agovino, chair of the Brunswick County Republican Party. The protest accused Joseph D. Golden of voting in two states and said it is based "Upon review of early voting files from other states." Agovino told Democracy NC that the GOP attorneys informed him they had "ironclad" evidence that Golden voted in Maryland's general election, so he agreed to sign the protest. However, the Brunswick County Board of Elections staff investigated and learned that Golden, although registered in Maryland earlier in 2016, did not vote there in the November election. The board notified Golden about a preliminary hearing, but said he didn't need to change his planned trip for that day because the matter would be easily resolved.

However, Golden soon found his name on the

front page of the local newspapers as being charged with voter fraud. Someone on social media wrote, "There's a cheater amongst us." Golden was surprised and frustrated by the experience. "This is not how you want to begin living in a new community," he said.

For his part, Agovino now wonders, "Why did I get myself involved in this crap." Shortly before the hearing, he contacted the state Republican Party to get documentation from the attorney to back up the claim of double voting, but he was told "she's left" and they had nothing for him. He felt "hung out to dry," he told us. "I didn't have enough information to follow through," so on the day of the hearing, he withdrew the protest. But by then, the damage to Golden's reputation and Agovino's credibility had been done.

"Why did I get myself involved in this crap"
- Joseph Agovino, after he couldn't get
the attorney's help to back up his protest

GUILFORD COUNTY

Three protests filed in Guilford County say they're from William C. Porter, but underneath his signature on each one are the words "authorized by / spr," as in Steve P. Roberts, the HVJT attorney who emailed the protests to the county board of elections. Porter is a leader in the Guilford County Republican Party and attended the preliminary hearing where the county board discussed the protests. He may have thought he was just helping Gov. McCrory, but he got an earful after the hearing from Karen Niehans, one of the people he accused of voting in two states. Several weeks later, Niehans, her husband, and two other voters falsely accused of committing fraud filed a defamation lawsuit against Porter in Guilford County Superior Court.

Karen Niehans learned about the preliminary hearing from a certified letter sent by the Guilford County Board of Elections. The letter said Mr. and Mrs. Niehans' "eligibility to vote" had been questioned and they should attend the hearing, but attendance wasn't required. Karen recounted other confusing aspects of the ordeal to Democracy NC, including being sworn in at the hearing and grilled by a board member, "Can you prove you didn't vote

in another state?" Taken aback, she and her husband tried to explain they were new to the state and only voted once. Then Karen remembered she had an email exchange on her phone with an elections official in Wisconsin that included her refusing the official's offer to send an absentee ballot. The board finally voted to dismiss the protest. On her way out, Karen went to the back of the room to confront her accuser, William Porter. "Why did you do this to us?" she demanded. He had no answer for her.

Gabriel Thabet, a registered Republican, finished parole for his felony sentence 17 years ago, but Porter accused him of illegal voting in 2016. In an opinion column published in the <u>Greensboro News & Record</u>, Thabet said the accusation "scared me to death." He thought he must have done something wrong, but finally realized "I was the person who was wronged." He said he decided to "fight back" by joining the defamation lawsuit against Porter. "At the national level, accusations have been made that millions of people voted illegally in this past election. These are broad and baseless allegations with an apparent intent to intimidate people—like me—from voting," he wrote. "Now is the time that voters fight back against false accusations."

ORANGE COUNTY

On November 17, Orange County Republican Party Vice-Chair Evelyn Poole-Kober accused six voters of voting in multiple states; they were mostly UNC-CH students or recent graduates. Steven Saxe of the HVJT law firm sent the protest to the Orange County Board of Elections in an email attachment. Tracy Reams, director of the elections board, followed up with Poole-Kober, who said she suspected the voters cast ballots in Maryland in addition to North Carolina. The election board staff contacted officials in Maryland and learned that, while all the voters had previously been registered there, none cast absentee or other ballots in Maryland's general election.

Poole-Kober did not attend the preliminary hearing on November 18, and no one else provided evidence to support the protest. According to the minutes of the meeting, Board member Jamie Cox noted that "there is a complete lack of substantial evidence that indicate a violation of election laws or other irregularity or misconduct. . . Mr. Cox felt the protest was filed to delay canvass and frivolous in nature given the fact that the protestor was not

present. Mr. Cox made a motion and Mr. Randall seconded the motion that the protest be dismissed. The motion was unanimous. The Board dismissed the protest at 11:40 am."

Aysha Nasir, a graduate of UNC and one of the accused voters, initially suspected that her ballot was being challenged because "of my Muslim name." It made her feel "targeted" and "awfully vulnerable" to be picked out and accused of something she didn't do. After seeing the names of other voters similarly charged, she realized her name wasn't the issue, but she still felt subject to arbitrary harassment. "You obey the law, you do all the stuff you're supposed to, and then some person just randomly, without any burden of proof, can accuse you of breaking the law," she said.

MECKLENBURG COUNTY

On November 17, attorney Erin Clark with HVJT sent a protest to the Mecklenburg County Board of Elections signed by Brenda Brown, voter registration chair of the Mecklenburg County Republican Party. The protest accused two voters of voting while serving a felony sentence. It is based "Upon review of the North Carolina Department of Corrections active prisoner and parole database." Brown told WFAE-FM radio that she filed the protest because "there were things in 2012 and in previous elections that concerned me, and then at the very last minute when our voter ID elections laws were overturned, I was concerned we would see that exact same problem again." But Brown presented no evidence to back up her claims.

Freddie Williams, who Brown falsely accused of committing voter fraud, is concerned, too. He's worned that it's too easy to file irresponsible charges against innocent voters. He thinks "it's a good idea" for the State Board of Elections to require people to present some evidence to back up their claim before a complaint is accepted.

ROCKINGHAM COUNTY

Local Republican Party activist Thomas Schoolfield hand delivered his protest to the Rockingham County Board of Elections, charging three voters with voting in two states. However, all three accusations proved to be false and the board voted to dismiss the protest

According to Tina Caldwell, director of the elections board, one of the accused voters had a different middle name and different age from the voter who cast the ballot in the second state, Washington.

The other two voters, Cheryl and James Holcombe, had voted in the Virginia primary but moved to North Carolina, registered and voted only in this state in the general election. "This is all very alarming to us," Cheryl Holcombe said after learning that she and her husband were accused of voter fraud. Thomas Schoolfield, a trustee of the Rockingham County Community College and retired executive from Burlington Mills, didn't want to discuss his protest with Democracy NC, saying only that it turned out there was "no record of them having voted in two states."

FORSYTH COUNTY

On November 17, attorney Steve Roberts with HVJT sent two protests to the CBOE signed by Linda Petrou, vice chair of the Forsyth County Republican Party. One protest named two voters who it said had died – but one of them turned out to be alive. The other protest accused two voters of voting while serving a felony sentence. "It really concerns me when I see people who aren't eligible to vote voting," Petrou told the News & Observer. She said she would not have filed the protest "if some lawyer friends of mine hadn't approached me." When informed that one of her accused voters was not serving a felon sentence, she sluffed it off: "I don't think anyone pays attention," she told the reporter.

The falsely accused voter, Barron R. McCollum, was not amused, "They should at least find out if I'm still considered a felon instead of taking it for granted," he told Democracy NC. McCollum said he didn't like the fact that Petrou seemed concerned about voters she thought cheated but not about people who filed bogus protests. He was notified about the preliminary hearing, but the letter arrived after the meeting had already begun. The Forsyth County Board of Elections unanimously dismissed the protest because it received no evidence to substantiate the accusations. Petrou told the Winston -Salem Journal that the Republican attorney said she didn't need to attend the elections board meeting. "My understanding was that they had all the information they needed," she said. "Something fell through the cracks."

JOHNSTON COUNTY

Denise Rentz, now chair of the Johnston County Republican Party, told Democracy NC she read the protest via email and authorized attorneys at the HVJT law firm to sign her name and submit it on November 17. She was not sure whether the law firm represented the McCrory campaign or NC Republican Party. The two were "on the same page, working together," she said.

Rentz's protest is one of several submitted with a signature and then the initials of a Holtzman Vogel attorney under the signature. In this case, the initial are EC, presumably for Erin Clark, although Rentz said Clark is not the woman she talked with; it may have been Gabriela Fallon, an associate at the firm who handled protest submission in a few other counties.

On November 18, the scheduled day for canvass, the Johnston County Board of Elections discussed the protest, read relevant statutes, and made an initial conclusion that it amounted to a late challenge of the registration eligibility of four voters based on their alleged felony convictions, not a protest asserting an irregularity or mistake that might influence the election outcome. One board member said it looked like an effort "to shoehorn challenges that have passed their deadline into a protest." Since the canvass had to be postponed for other reasons, the board delayed their decision and eventually forwarded the protest to the State Board of Elections.

Rentz thought the county board handled everything properly and "professionally." She agreed that the basic problem was "the lawyers didn't submit the paperwork properly." She thought it was "too bad" that the county couldn't do anything to disqualify the votes, but she understood that four votes would not have changed the election outcome at the county level.

Actually, at least one of the four voters accused of voter fraud is completely innocent. Johnny L. Benson is 71 years old and has a different middle initial from the 48-year-old man serving a felony sentence, who did not vote in 2016. Benson says he votes "every time" and used early voting 2016 to join his wife. He believes the board of elections should change its procedures so somebody like him can't be so easily accused of a crime.

GRANVILLE COUNTY

Floyd Adsit, chair of the Granville County
Republican Party, recalled working with "a hired gun
out of Virginia" — an attorney named "Steve" — to
prepare a protest and have it filed. Tonya Burnette,
director of the Granville County Board of Elections,
said she received the protest as an attachment to a
November 17th email from Steve Roberts of the
HVJT law firm. The protest accused one voter of
voting while being "adjudged guilty of a felony."

Burnette forwarded information about the voter to the county sheriff, who wrote back that a search of the voter's name and birthdate established that he "has not been convicted of any felony charge." Adsit told Democracy NC that he initially "got information from the attorney" about the voter's felony conviction, but upon receiving a copy of the sheriff's statement, Adsit immediately sent Burnette a memo withdrawing his protest—the same day it was filed. "I didn't have reason to doubt the sheriff. I know him," said Adsit. "That was enough for me."

WAKE COUNTY

Charles Hellwig, now chair of the Wake County Republican Party, filed three protests that were emailed to the county board of elections on November 17 by Gabriela Fallon of the HVJT law firm. One protest named two voters who the county board confirmed died after they cast early ballots. Another protest named three "persons adjudged guilty of felony" who cast "invalid ballots" — except two of the three were obvious cases of mistaken identity; the innocent voters had family members with different ages on felony probation.

The third protest listed 22 individuals accused of voting in Wake County and in another state in the November 2016 election. At the preliminary hearing, an attorney for the McCrory campaign presented a spreadsheet with information about the voters and people with similar names who supposedly voted in another state. The spreadsheet included obvious mismatched names and it listed the majority of voters as all voting in Maryland on the same day. By a 2-to-1 vote, the Wake County Board of Elections dismissed the protest. Subsequent research confirmed the bogus quality of the spreadsheet.

Robert Chadwick, who moved to North Carolina from Virginia, was disturbed to learn he was on the list of alleged double voters. "It was a total shock," he said. "Someone just randomly pulled my name out of a hat and said, 'That guy cheated.' It really hurt me." He thought the current process makes it too easy to claim someone committed voter fraud without any evidence. He added, "Whatever needs to be done to stop this in the future, I think now is the time to let's push this button and make that happen."

BEAUFORT COUNTY

Joseph Knox volunteered with the McCrory campaign throughout the summer and fall of 2016, and at age 20 he served as the youngest delegate in the nation to the Republican National Convention. He told Democracy NC that Robert Andrews, state grassroots director for the McCrory campaign, asked him to file a protest being prepared by attorneys and he agreed. Erin Clark of the HVIT law firm sent the protest to the county board of elections by email on Saturday, November 19. It listed three voters "adjudged guilty of a felony" and said their ballots should be disqualified.

The Washington Daily Times published the names of the three voters in its November 22 edition, but later that day, the county board dismissed the protest. In a front-page story on November 23, the newspaper said, "Knox, who wanted [the three] ballots excluded from vote counts, failed to appear at the preliminary hearing conducted by the board."

Knox told Democracy NC that the attorney said he didn't need to show up at the hearing. When he learned the protest was dismissed, he notified the attorney and was told "they would try to follow up." He didn't hear anything later from the attorney; meanwhile, he did hear from several friends and party members who chastised him for not attending the meeting. That attention really bothered him. "I was between a rock and a hard place," he said. The attorneys said he didn't need to attend to defend the protest, but the county board "threw it out" because no evidence was presented to back up the charges.

It's doubtful that Knox will jump so quickly to accuse people of voter fraud in a legal document. That's good — but it's a little late for one of the people Knox falsely accused and the newspaper named as possibly linked to voter fraud. Sylvester

D. Ore is not serving a felony sentence and has not lost his right to vote. "I don't like it," he said about being accused of fraud. "That's saying I've gotten involved with wrong kind of people. That's not me!"

HARNETT COUNTY

B. Carolyn Elmore, vice chair of the Harnett County Republican Party submitted her protest by hand to the county board of elections on November 18, 2016. She accused Michael Conwell of voting while being "adjudged guilty of a felony." The elections staff

County	Protestor	Category	Number Voters
Alamance	Carter	Felony Sentence	2
Alamance	Carter	Voted 2 States	1
Alexander	Sims	Deceased	1
Beaufort	Knox	Felony Sentence	3
Bertie	Terry	Felony Sentence	1
Bladen	Dowless	Absentee Fraud	~275
Brunswick	Agovino	Voted 2 States	1
Buncombe	Newton	Deceased	2
Buncombe	Newton	Felony Sentence	1
Burke	Parris	Deceased	-3
Cabarrus	Kennedy	Deceased	5
Cabarrus	Kennedy	Felony Sentence	1
Carteret	Newton/ Pruett	Felony Sentence	1
Cleveland	Bowland	Felony Sentence	1
Craven	Mischka	Deceased	2
Craven	Mischka	Felony Sentence	1
Cumberland	Reinoehl	Felony Sentence	1
Cumberland	Reinoehl	Voted 2 States	7
Davidson	Younts.	Deceased	1
Durham	Posthill	Absentee Fraud	0
Durham	Posthill.	Felony Sentence	7
Durham	Posthill	Voted 2 States	17
Forsyth	Petrou	Deceased	2
Forsyth	Petrou	Felony Sentence	2
Franklin	Pearce	Absentee Fraud	42
Granville	Adsit	Felony Sentence	1
Greene	Sparks.	Absentee Fraud	~94

investigated the protest and quickly found that Conwell was not serving a felony sentence. In fact, his supervised probation for a misdemeanor conviction had ended; his status with the NC Department of Public Safety is shown as "inactive" on its public search site.

Elmore didn't want to talk with Democracy NC about her protest. "That was five months ago," she said. "I've put that behind me." But Conwell is still unhappy he was falsely accused of voter fraud. "It was wrong," he said. "It should never have happened."

County	Protestor	Category	Number Voters
Guilford	Porter	Deceased	1
Guilford	Porter	Felony Sentence	.8
Guilford	Porter	Voted 2 States	9
Halifax	Myrick	Absentee Fraud	~24
Halifax	Myrick	Felony Sentence	1
Harnett	Elmore	Felony Sentence	1
Hoke	Hartman	Felony Sentence	1
Iredell	Corbin	Deceased	3
Jackson	Hammond	Felony Sentence	1
Johnston	Rentz	Felony Sentence	4
Lee	Staley	Felony Sentence	1
Mecklenberg	Brown	Felony Sentence	. 2
Moore	Rowerdink	Voted 2 States	4
New Hanover	Anderson	Absentee Fraud	.01
New Hanover	Sengsoul- avong	Felony Sentence	2
Northampton	Dyer	Absentee Fraud	.0:
Orange	Poole- Kober	Voted 2 States	6
Person	Wrenn	Deceased	1
Rockingham	Schoolfield	Voted 2 States	3
Stokes	McBride	Felony Sentence	1
Wake	Bunn	Absentee Fraud	0
Wake	Hellwig	Deceased	2
Wake	Hellwig	Felony Sentence	3.
Wake	Hellwig	Voted 2 States	22
Wayne	Heath	Felony Sentence	1
Wayne	Heath	Voted 2 States	1

NCSBE Report of Investigation

Case Number: 2016-166

Investigator(s): Joan Fleming/Matthew Martucci

Document: Interview Report - Jerry Reinoehl on 12/16/2016, 01/03/2017, and

01/04/2017/Telephonic;

County(s): Multiple

Subject(s): November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome -

11/08/2016 General Election;

On 12/16/2016, Jerry Reinoehl, 5

was telephonically contacted by NCSBE Investigators Joan Fleming and Matthew Martucci. After being advised of the identity of the interviewing officials, and the purpose of the interview, Reinoehl provided the following information:

Reinoehl is a retired military officer of the U.S. Army, having attained the rank of Major.

Reinoehl stated that on 11/16/2016, he was contacted by a member of the "legal team" representing. Governor Patrick McCrory and asked if he was willing to assist their efforts to secure an election recount for McCrory associated with the November 8, 2016 General Election, by filing an election protest in Cumberland County.

Reinoehl was initially telephonically contacted by Erin Clark, eclark@hvjt_law, 859-954-8974, who asked if he would be willing to file a protest to support the McCrory re-count. Her call was unsolicited by Reinoehl, but he was not surprised that he was chosen since he is a registered Republican who contributed to McCrory's campaign and who is known in his county as a person who is very involved in doing his own research on voter registration and voter fraud matters. He stated that he sometimes works on voter registration issues in concert with Jay DeLancy of the Voter Integrity Project (VIP). Reinoehl stated that he and DeLancy had spoken about the possibility of teaming up with the state GOP in their voter research efforts. Clark and Reinoehl did not discuss specifics, but Reinoehl knew there were protests being filed to support McCrory and that McCrory's lawyers were likely looking for someone with "status" in the county to sponsor their protest. Reinoehl explained that by "status" he meant that he was both qualified to bring a protest in Cumberland County as a duly registered voter in that county, and that he had a reputation for being active at the county BOE in election matters. Reinoehl agreed to support McCrory's lawyer's efforts and he believed that Clark advised him that someone would send him the protest documents to sign.

Reinoehl advised that soon after his call with Clark, he received an email with an attachment containing the original protest documents. The protest documents already contained all of the relevant information needed to file the protest and he was simply asked to sign and return them. He was unsure as to who sent the documents to him, in as much as during the protest he believed he also had email correspondence with others associated with Clark. He identified those additional individuals in an email

sent to the interviewing officials on 12/13/2016. They were: Steven P. Saxe (Holtzman, Vogel, Josefiak, Torchinsky PLLC), Michael Williams (NCGOP), and Jesse Moss.

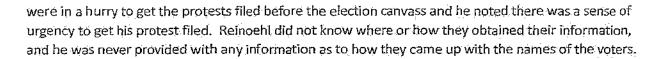
Of those individuals, he indicated that Moss may have sent him the original protest documents. Reinoehl stated he never spoke with Moss, and he signed and returned the documents via email as requested. [Investigator's Note: Reinoehl later corrected his statement to advise that he incorrectly attributed receipt of the protest documents to Moss, who was not involved in the protest request at all. See page 4 of this report. He actually received the protest documents in an email message received from Erin Clark on 11/16/2016.]

Reinoehl stated his understanding was that he would sign the protest, and "they" (the attorneys for McCrory) would attend the protest hearing in Cumberland County at which time they would produce the evidence to support the claims of voter fraud against the voters named in the protest. He stated that he did not personally submit the protest documents to the Cumberland County Board of Elections but rather emailed them back to the legal team. He believed his protest was thereafter submitted to the Cumberland County BOE by the legal team.

Reinoehl stated that at the time he agreed to help the protest effort by signing the protest documents he was led to believe that the lawyers would provide him with the supporting evidence and would attend the protest hearing with Reinoehl to assist him in presenting the evidence. However, as the date for the hearing drew closer (11/21/2016), the legal team failed to provide Reinoehl with any evidence to support the claims of voter fraud contained in his protest. Consequently, Reinoehl began conducting his own research out of concern that he would be left to fend for himself before the County BOE. He commented that he has had dealings with party officials in that past where he has felt that they were somewhat "sloppy" in the way they handle their research. Reinoehl continued to try to communicate with individuals at the law firm and the GOP in an effort to obtain the needed facts. He recalled that on the Friday before the hearing, he sent an email message to NCGOP officials to "put up or shut up." He explained that he was trying to stress to them that his County BOE would expect to see and hear detailed evidence to back up the claims in the protest and that without that information the protest would not survive that scrutiny. He stated that he knows and respects the members of his board and recognized that they would want to see documentation in order to justify not counting any votes. In response, Reinoehl was told that the lawyers understood what was needed and would be prepared to present evidence at the hearing. Reinoehl responded that he had not seen what they were relying on as evidence. He never received any documentation from any of the attorneys, and as a result, he had no confidence in the protest, did not know what to expect, and felt that he was "left out to dry."

Reinoehl confirmed that in total, he signed two protests that were prepared by the attorneys, one that alleged that a voter was a convicted felon and the other that alleged that seven (7) voters had voted in multiple states during the November 8, 2016 election. In spite of what is indicated in the protest documents, Reinoehl admitted that at the time he was asked to sign the protest documents, he had no personal knowledge of any evidence to support the allegations against any of the voters named in his protests.

Reinoehl stated that he signed the protests under the belief that the requestors were lawyers, and as such likely had access to information they he did not, including criminal records. He also noted that they

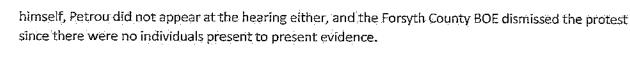


Reinoehl stated that when he tried to do his own research on the double voters he had difficulty since he had no information as to what state they voted in other than North Carolina. He stated it is a "big country" and he was frustrated that the lawyers never provided him with any information concerning the other states involved. In the end, he was only able to verify that one voter may have voted in North Carolina and Florida. He stated that through contact with the county BOE, he was able to verify that the voter accused of voting in a convicted felon status was in fact a convicted felon. Rienhoehl thereafter discussed his concerns about proper documentation with Erin Clark in an email dated 11/18/2016.

Reinoehl told the interviewing officials that in his experience, there are often issues of mistaken identity when comparing voters in multiple states. He cited the frequency of encountering "Ir's, Sr's, Il's and Ill's", which can lead to false positives. He recalled that the legal team told him that he did not need to be concerned since they would be at the hearing to present the evidence for him. In a text message he received from Erin Clark on Saturday, 11/19/2016, he was told that he (Reinoehl) did not need to be present at the hearing: "You are not required to attend the hearing. We should have an attorney in attendance."

Reinoehl stated that in spite of the above advice from Clark that he did not need to be present for the hearing, he felt a responsibility since it was his protest and he therefore never considered not attending. The hearing was at 8 AM on a Monday, and when Reinoehl arrived, he looked around the room to see if he saw any unknown faces. He explained that as a long-time resident of the county, he knows most people who attend the BOE meetings, and consequently felt he would be able to pick out the lawyers. He stated that the lawyers did not appear for the meeting and he informed the board chairman that the legal team he expected to assist with his protest was not present. Reinoehl thereafter presented the evidence he had independently found concerning the convicted felon and one double voter. He admitted that for six out of the seven double voters named in his protest he had no evidence to present. He recalled that BOE Director Terri Robertson verified his information that the convicted felon was still under an active sentence. However, he advised that in the end the board voted two to one to decline his protest of those two voters based upon the fact that it would not have any effect on any contest within Cumberland County.

After the hearing on 11/21/2016, Reinoehl contacted Clark via a text message and told her that the hearing did not go well: "It was lonely without legal assistance...". In a subsequent email message sent to Michael Williams, Steven Saxe, and Erin Clark on 11/25/2016, Reinoehl suggested that they could appeal the two confirmed cases and they responded that they were "studying" the issue. Reinoehl speculated that they failed to show up for his hearing because they were focused on other issues in Durham County, and that when their efforts in Durham County failed, they "folded up and went home." Reinoehl expressed dissatisfaction that they never supported him with the underlying facts to support his protest. He stated that he later learned of a female individual in Forsyth County, Linda Petrou, who was similarly recruited by McCrory's attorneys to submit an election protest and who likewise, was told by those attorneys that she did not need to show up for the protest hearing. He stated that unlike



Reinoehl provided the interviewing officials with statements concerning his experience via three email messages on 12/13 and 12/19, which are attached and made a part hereto. In an email on 12/13, Reinoehl stated the following:

"The Legal Defense Team supporting the Governor McCrory election drafted the Cumberland County protests for my signature and submission. The legal team identified the individuals and I was not provided any of the information used to identify those named in the protests who may have committed voting irregularities."

"The legal team was aware of the date, time, and location of the Cumberland County probable cause hearing. I was advised there would be legal representation provided with sufficient documentation to support a probable cause determination. The meeting was called to-order and I proceeded without legal assistance. The legal team did not attend the hearing. I was not provided with any of the documentation they may have developed to support the protests. I have still not seen any of their supporting documentation."

in a follow-up interview on 01/03/2017, Reinoehl was asked if he could confirm that the original protest. documents he received were in fact received from Jesse Moss as initially stated above. Reinoehl was informed by the writer that Moss appeared to be associated with a film company that makes documentaries and as such, it seemed unlikely that he would have provided the protest documents to Reinoehl. Upon review of his messages, Reinoehl advised that he believes that he may have sent copies of the protests to Moss during the time that the protest was being worked on because Moss was producing a film about the election. He stated that he agreed that it was unlikely that he received the protest documents from Moss but he could not recall, without further review, who did send him the protest documents. Reinoehl was asked if he has had time to copy the emails and text messages he received during the time he was contacted about the protest. He stated that he had compiled them all and was "ready to hit send" but decided to consult with a GOP official before doing so. He stated that the official advised him that it would not be a good idea for him to provide that information to the SBE investigators. Reinoehl stated that the individual who provided him with that advice is a GOP "policy person" and that they do not represent him as an attorney. Reinoehi declined to identify the advisor. Reinoehl was advised that his cooperation in conducting a complete investigation was appreciated and that at minimum he should not destroy the information in his possession since it was likely that the investigation will go forward and the results provided to other governmental agencies. Reinoehi stated that he intended to provide the information to the writer and has no plans to obstruct the investigation in any manner. He stated that as a former intelligence officer in the U.S. Army he understands the need for complete information to be provided and he stated he would forward the requested information to the writer.

In a follow-up interview on 01/04/2017, Reinoehl confirmed that he in fact received the original protest documents from Erin Clark and that his contact with Jesse Moss was not associated with the filing of his

protest. Reinoehl thereafter provided SBE investigators a zip file containing copies of emails and text messages he received from and sent to Erin Clark.

Copies of the above referenced email messages and associated protest documents are attached and made a part hereto.//

ELECTION PROTEST Use of this form is required by G.S. 163-182.9(c)

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional sheets and attachments.

ELECTION PROTEST
Use of this form is required by G.S. 163-1829(c)

This form must be filed with the county board of elections within the nine frames set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional sheets and attachments.

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l Full name and mai	ling address of p	erson filing the p	rotest.	8 1	Naces	5
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Jerry Reinoehl, 516 D	leerpath Dr., Fay	etteville, NC 283	11 .		50 - SS	
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Registered voter						
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4. List the date, loc number of votes each	ation, and exact received. Note	nature of the ele	ction protested. didate(s) elected	Name all cand or nominated.	lidates in the e	lection and the
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November 8, 2016 G	ieneral Election.	All candidates a	nd issues on the l	ballot indicated	for that election	n.
		 				
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5. Does this protest	myorve an anego	AT DATOF III NOTE OF	THE OF PROPERTY	ii ii so, prease	eybigin iit ners	<u> 11.</u>
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7. Please set out a						
State how each vio	lation occurred. I	Please provide the	e names, address	es, and phone n	umbers of those	who you allege
committed such vio	olations.	*				
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CLAY C ERRY I RETTY	M ALEXANDER BARR III, LAKEWAY DR. FAYETTEVILLE, NC 28306-9755 COLLINS, WADSWORTH PL, FAYETTEVILLE, NC 28314-1172 LEVERN HENRY, DIPLOMAT DR. FAYETTEVILLE, NC 28304-6024 B ADAMS, GRIMES ST, FORT BRAGG, NC 28307-2110 LA JILL ROWLEY-KNUDTSON, MARINERS LANDING DR. FAYETTEVILLE, NC 283060-7466
8. Pleas	e provide the names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in est, and specify what each witness listed saw or knows.
leny Re	inoehl, 516 Deerpath Dr., Fayetteville, NC 28311, (910)850-0740, early voting files from other states
9. What	t action do you desire the county board of elections to take in this matter?
	MBERLAND County Board of Elections must invalidate all ballots for any office whatsoever deemed to be persons who voted in multiple states in violation of state law, as set forth in Sections 5 and 7, above.
	yon contend the allegations set out by you are sufficient to have affected or cast doubt upon the results of the delection? If your answer is yes, please state the factual basis for your opinion.
clection	ne described allegations clearly demonstrate that ballots cast by persons who voted in multiple states, for the held on November 8, 2016 in CUMBERLAND County, are invalid under State law. The invalid ballots carous who have voted in multiple states in violation of state and federal law, must not be counted for any officence who have voted in multiple states in violation of state and federal law, must not be counted for any officence.
	we you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182 of G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to elections?
Yes.	
	ow many pages of additional answer are attached to this protest? 0 ow many pages of attachments are attached? 0 Signature of Protestor

Date/Time Filed with County Board

(to be filled out by the county board)

NOTE: The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election and t with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections, PO Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.

ELECTION PROTEST Use of this form is required by G.S. 163-182.9(c)

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional sheets and attachments.

sneets and aurcoments.	50	(5)	58
1. Full name and mailing address of person filing the protest.			
Jerry Reinoehl, 516 Deerpath Dr., Fayetteville, NC 28311			
2. Home and business phone number, fax number, and e-mail address.			
(910)850-0740, jreinoehl@nc.u.com			
3. Are you either a candidate or registered voter eligible to vote in If a candidate, for what office?	the	protested	election?
Registered votex			
4. List the date, location, and exact nature of the election protested. Name all candid number of votes each received. Note the winning candidate(s) elected or nominated. November 8, 2015, General Election. All candidates and issues on the ballot indicated for			ion and the
S. Does this protest involve an alleged error in vote count or tabulation? If so, please ex Yes. Upon review of the North Carolina Department of Corrections active prisoner and cast for candidates for this election, it appears that at least one ballot was cast by a present this State or the United States, or adjudged guilty of a felony in another felony if it had been committed in this State, and without those persons having fir citizenship in the manner prescribed by law. That class of persons not being allow prescribed by law, it appears that none of these ballots are valid under State law, at erroneously counted and tabulated by the Cumberland County Board of Elections.	I parole person er state rst rest wed to	e database adjudged that also ored to the vote in the	guilty of a would be a he rights of his State a
6. Does this protest involve an irregularity or misconduct not described in number 5 detailed description of such misconduct or irregularity and name those who committed s			okase give i
No.			w
7. Please set out all election laws or regulations that you allege were violated in you state how each violation occurred. Please provide the names, addresses, and phone number committed such violations.	r respo abers o	onses to 5 f those wi	or 6 above 10 you alleg
N.C. Gen. Stat. § 163-55(a)(2) N.C. Gen. Stat. § 163-82.1(c)(2)			

In violation of the statutes provided for above, invalid ballots were cast by the following persons adjudged guilty of a felony:

Jennifer Louise Brunson, 4706 Needham, Fayetteville, NC, 28311

8. Please provide the names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in this protest; and specify what each witness listed saw or knows.

Jerry Remochl, 516 Deerpath Dr., Fayetteville, NC 28311, (910)850-0740, North Carolina Department of Corrections active prisoner and parole database

9. What action do you desire the county board of elections to take in this matter?

The Cumberland County Board of Elections must invalidate all ballots for any office whatsoever deemed to be cast by persons adjudged guilty of a felony in violation of state law, as set forth in Sections 5 and 7, above.

10. Do you contend the allegations set out by you are sufficient to have affected or cast doubt upon the results of the protested election? If your answer is yes, please state the factual basis for your opinion.

Yes. The described allegations clearly demonstrate that ballots cast by persons adjudged guilty of a felony, for the election held on November 8, 2016 in Cumberland County, are invalid under State law. The invalid ballots cast by persons adjudged guilty of a felony against this State or the United States, or adjudged guilty of a felony in another state that also would be a felony if it had been committed in this State, and without those persons having first restored to the rights of citizenship in the manner prescribed by law, must not be counted for any office voted.

11. Have you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests?

Yes.

12. How many pages of additional answer are attached to this protest? 0 How many pages of attachments are attached? 0

Jun B Remolf

Date/Time Filed with County Board

(to be filled out by the county board)

NOTE: The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election audit with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections, PO Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.

Fleming, Joan

From:

Martucci, Matthew

Sent:

Tuesday, December 13, 2016 2:49 PM

To:

Fleming, Joan; Strach, Kim

Subject

FW: Cumberland 11-08-2016 Protests - Legal Team Info

Here are the names of McCrory's legal team involved in this protest

Matty

—Original Message——

From: jreinoehl@nc.rr.com [mailto:jreinoehl@nc.rr.com]

Sent: Tuesday, December 13, 2016 2:42 PM

To: Martucci, Matthew < Matthew. Martucci@ncsbe.gov>

Cc: ireinoehl@nc.rr.com

Subject: RE: Cumberland 11-08-2016 Protests - Legal Team Info

Sir,

This is the contact info I have:

initial: Jesse Mos

original protest documents) Erin Clark,

eclark@hvjt.law, (859) 954-8974 (follow-up)

Post Probable Cause Hearing: Steven P. Saxe, spsaxe@hvjt.law; Michael Williams, michael williams@ncgop.org

VR,

Jerry B. Reinoehl

516 Deerpath Dr

Fayetteville, NC 28311

ireinoehl@nc.rr.com

H: (910) 822-6268

C: (910) 850-0740

- --- "Martucci wrote:
- > Thank you so much.
- > I need the names of the legal team?

>

- > ----Original Message----
- > From: jreinoehl@nc.rr.com [mailto:jreinoehl@nc.rr.com]
- > Sent: Tuesday, December 13, 2016 2:12 PM
- > To: Martucci, Matthew < Matthew. Martucci@ncsbe.gov>
- > Cc: ireinoehl@nc.rr.com
- > Subject: Cumberland 11-08-2016 Protests

>

> Sir,

>

Exhibit 2.2.2.1
> The Legal Defense Team supporting the Governor McCrory election drafted the Cumberland County protests for my signature and submission. The legal team identified the individuals and I was not provided any of the information used to identify those named in the protests who may have committed voting irregularities.
> The legal team was aware of the date, time, and location of the Cumberland County probable cause hearing. I was advised there would be legal representation provided with sufficient documentation to support a probable cause determination. The meeting was called to-order and I proceeded without legal assistance. The legal team did not attend the hearing. I was not provided any of the documentation they may have developed to support the protests. I have still not seen any of their supporting documentation.
> I performed the research and developed the information presented during the probable cause hearing. Information from individual BeenVerified reports, a commercial background check subscription service, includes such information as full name, address history, telephone numbers, relatives and associates, criminal and traffic arrest records, and date of birth, was used to research other public records.
> On the protest of the voter, Jennifer Louise BRUNSON, NCID who is a convicted felon who had not completed her sentence and was ineligible to vote. Information was obtained from the NC Department of Public Safety Offender Public Information website. During the public hearing, a board member examined the document and asked the Director, Ms. Terri Robertson, if she could verify the felony conviction information. She indicated that her office used the same information source. Had a probable cause determination been made, I believed at a formal hearing, if the voter attended, her testimony and signature comparisons of her NC voter registration application and the authorization to vote (ATV) should be a straight forward determination on her guilt or innocence. Also, she changed her address from That change possibly occurred on Nov 3 when she voted during early voting and after her felony conviction on Oct 4, 2016. Address changes require a ne voter application – paper or electronic as in the case during early voting. She would have signed that application committing an additional felony by making a false statement.
> On the protest of the seven voters who may have voted in multiple states.
> Information presented during the hearing on one of the individuals, Jerry Levern HENRY, NCID demonstrated that he had voted in Florida after voting in North Carolina, not being in violation of NC law. Learned afterward that I was not permitted to access that information on the Florida Department of Elections website, and deleted all the files.
> Information developed on Dion Reginold SAMUEL, Jr, NCID 22-year-old may have been mistaken identity a his father had lived in Fayetteville at the same address but now lives in El Paso, TX, but was never registered to vote in NC.
> Information developed on William Alexander BARR, III, NCID 21-year-old, may have been mistaken identit as his father has lived in Fayetteville at the same address but is not registered to vote in NC. Could not determine when the father was registered to vote.
> Information developed on Clay C. COLLINS (Jr), NCID 18-year-old, may have been mistaken identity as his father Clay C. Collins (Sr) has the same address as the son but is registered to vote in Florida.
> As mentioned before, the legal team did not provide any help, and I did not have sufficient information to decide on the multiple state voting status of the remaining individuals. >
> > Thank you for your consideration of these issues, Jerry B. Reinoehl > 516 Deerpath Dr > Fayetteville, NC 28311

> jreinoehl@nc.rr.com > H: (910) 822-6268 > C: (910) 850-0740

Fleming, Joan

From:

Martucci, Matthew

Sent

Tuesday, December 13, 2016 2:47 PM

To:

Fleming, Joan; Strach, Kim

Subject

FW: Cumberland 11-08-2016 Protests

Here is the protest file in Cumberland County which was dismissed

Matty

- Original Message -

From: jreinoehl@nc.rr.com [mailto:jreinoehl@nc.rr.com]

Sent: Tuesday, December 13, 2016 2:12 PM

To: Martucci, Matthew < Matthew Martucci@ncsbe.gov>

Cc: jreinoehl@nc.rr.com

Subject: Cumberland 11-08-2016 Protests

Sir,

The Legal Defense Team supporting the Governor McCrory election drafted the Cumberland County protests for my signature and submission. The legal team identified the individuals and I was not provided any of the information used to identify those named in the protests who may have committed voting irregularities.

The legal team was aware of the date, time, and location of the Cumberland County probable cause hearing. I was advised there would be legal representation provided with sufficient documentation to support a probable cause determination. The meeting was called to order and I proceeded without legal assistance. The legal team did not attend the hearing. I was not provided any of the documentation they may have developed to support the protests. I have still not seen any of their supporting documentation.

I performed the research and developed the information presented during the probable cause hearing. Information from individual BeenVerified reports, a commercial background check subscription service, includes such information as full name, address history, telephone numbers, relatives and associates, criminal and traffic arrest records, and date of birth, was used to research other public records.

On the protest of the voter, Jennifer Louise BRUNSON, NCID who is a convicted felon who had not completed her sentence and was ineligible to vote. Information was obtained from the NC Department of Public Safety Offender Public Information website. During the public hearing, a board member examined the document and asked the Director, Ms. Terri Robertson, if she could verify the felony conviction information. She indicated that her office used the same information source. Had a probable cause determination been made, I believed at a formal hearing, if the voter attended, her testimony and signature comparisons of her NC voter registration application and the authorization to vote (ATV) should be a straight forward determination on her guilt or innocence. Also, she changed her address from

That change possibly occurred on

Nov 3 when she voted during early voting and after her felony conviction on Oct 4, 2016. Address changes require a new voter application - paper or electronic as in the case during early voting. She would have signed that application committing an additional felony by making a false statement.

On the protest of the seven voters who may have voted in multiple states.

Information presented during the hearing o that he had voted in Florida after voting in North Carolina, not being in violation of NC law. Learned afterward that I was not permitted to access that information on the Florida Department of Elections website, and deleted all the files. Information developed on Dion Reginold SAMUEL, Jr., NCID 22-year-old may have been mistaken identity as his father had lived in Fayetteville at the same address but now lives in El Paso, TX, but was never registered to vote in NC. Information developed on William Alexander BARR, III, NCID 21-year-old, may have been mistaken identity as his father has lived in Fayetteville at the same address but is not registered to vote in NC. Could not determine where the father was registered to vote. Information developed on Clay C. COLLINS (Jr), NCID 18-year-old, may have been mistaken identity as his father Clay C. Collins (Sr) has the same address as the son but is registered to vote in Florida. As mentioned before, the legal team did not provide any help, and I did not have sufficient information to decide on the multiple state voting status of the remaining individuals. Thank you for your consideration of these issues, Jerry B. Reinoehl

Fleming, Joan

From:

Martucci, Matthew

Sent

Monday, December 19, 2016 8:12 AM

To: Cc: Fleming, Joan Strach, Kim

Subject

FW: Winston-Salem Journal story on Forsyth protest no-show

----Original Message----

From: jreinoehl@nc.rr.com [mailto:jreinoehl@nc.rr.com]

Sent: Monday, December 19, 2016 8:00 AM

To: Martucci, Matthew < Matthew Martucci@ncsbe.gov>

Cc: jreinoehl@nc.rr.com

Subject: Winston-Salem Journal story on Forsyth protest no-show

Sir,

Per our discussion Friday. This is the link to the Winston-Salem Journal article on the Forsyth election protest.

http://www.journalnow.com/news/elections/local/felon-voter-protest-fails-on-no-show/article_6c53cd8a-18d1-5757-9cf6-b18dbaa833eb.html

"An election protest alleging that two felons were allowed to cast ballots in Forsyth County was rejected Tuesday morning when the person filing the protest and the two affected voters failed to appear at a hearing in front of the Forsyth County Board of Elections."

"Linda Petrou, the vice chairwoman of the Forsyth County Republican Party, who filed the protest last week, said a GOP attorney giving her advice had told her it was not necessary for her to show up for the hearing."

VR,

Jerry B. Reinoehl

http://www.journalnow.com/news/elections/local/felon-voter-protest-fails-on-no-show/article_6c53cd8a-18d1-5757-9cf6-b18dbaa833eb.html

Felon voter protest fails on no-show

By Wesley Young Winston-Salem Journal Nov 22, 2016

An election protest alleging that two felons were allowed to cast ballots in Forsyth County was rejected Tuesday morning when the person filing the protest and the two affected voters failed to appear at a hearing in front of the Forsyth County Board of Elections.

After waiting for more than 10 minutes past the start of the 9 a.m. hearing, the three-member elections board unanimously agreed that without anyone presenting evidence there was no way to sustain a challenge to the votes by the two alleged felons.

The protest was dismissed and the ballots cast by the two voters were to be counted.

Linda Petrou, the vice chairwoman of the Forsyth County Republican Party, who filed the protest last week, said a GOP attorney giving her advice had told her it was not necessary for her to show up for the hearing.

"My understanding was that they had all the information they needed," Petrou said. "Something fell through the cracks."

The GOP has filed multiple election protests across the state in the wake of a photo-finish outcome in the contest for governor.

Incumbent Pat McCrory, the Republican, trailed Democratic challenger Roy Cooper by only 6,154 votes statewide as of around 7 p.m. Tuesday, as counties counted provisional ballots and tried to wrap up their canvass of the 2016 election.

Cooper easily carried Forsyth County in unofficial results posted on Election Day, and as more provisional ballots and other ballots were counted on Tuesday he padded his lead.

Results are still unofficial in Forsyth County because some 1,100 provisional ballots remained uncounted at the close of counting Tuesday evening. The county elections board will meet at 10 a.m. next Wednesday and try to wrap up the official canvass of the 2016 election.

As of the close of counting on Tuesday, Cooper had 99,398 votes in Forsyth, an increase of 330 over his previous total and 1,773 over his count in the immediate aftermath of the election.

McCrory's total in Forsyth stood at 73,380 with the close of counting on Tuesday, an increase of 204 votes over his previous total and 1,236 votes over his initial tally right after the election.

The bottom line was that in Forsyth County, Cooper had increased his margin over McCrory by 537 votes with the counting of absentee and provisional ballots since Election Day.

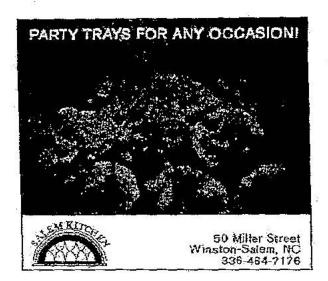
On Tuesday, the elections board approved fully counting 359 provisional ballots, partially counting 115 provisional ballots and disapproving 264 provisional ballots.

The board also added in some 137 absentee ballots that had been initially disallowed or had questionable date stamps, but later determined to be valid.

A provisional ballot is given to someone when voter registration information isn't found or if there is some other problem such as a record that the person had already voted or that someone had gone to the wrong precinct. Each provisional ballot is individually sealed in an envelope.

233 of 278

In the days after an election, election officials go through the provisionals and see if they can find the correct voter information or otherwise determine whether or not the ballot should be counted.



On Tuesday, the elections board dealt with seven provisional ballots cast in cases involving people who apparently tried to vote twice or in someone else's name.

The elections board compared voter signatures to see if the signature on the voter registration card matched any of the signatures given when people voted. The cases all involved people casting a ballot in early voting, then showing up later to vote and being told they had already voted. The second-visit voters were allowed to cast provisional ballots.

On Tuesday, only two of the seven double-vote provisionals were approved, with the corresponding early-vote ballots for those voters removed from the tally. In the other cases, the provisional was tossed and the early votes allowed to stand.

The majority of the partial provisionals counted on Tuesday were cases in which a voter cast a ballot out of his precinct, and rather than go vote at the proper precinct chose to vote where he was with the ballot available. That meant votes cast in some contests wouldn't count, since different precincts have a different mix of contests on the ballot.

But there were also 22 voters who apparently got the wrong ballot type through human error.

A point of controversy on the elections board on Tuesday had to do with four absentee ballots that were hand-delivered to the elections office. A worker is supposed to mark when the ballot was received, since it has to be brought in by 5 p.m. on Election Day. By error, that was not done.

The elections board voted 2-1 to disallow the four ballots. Fleming El-Amin, the sole Democrat on the elections board, argued to accept the ballots, but the Republican majority voted to disallow the ballots because it could not be proven they were brought in on time.

wyoung@wsjournal.com (336) 727-7369 @wyoungWSJ

Wes Young

More Elections News

- McCrory signs controversial Senate GOP elections, court bill, presented with HB 17
- Gov.-elect threatens court action against GOP move to limit his powers
- · Fourth special session called to consider other bills; disaster relief bill clears legislature
- Trump's national security adviser shared secrets without permission, files show
- · Sources: Perry for energy secretary; Kanye West visiting Trump tower
- Reaction to Gov. Pat McCrory's concession speech reflects entrenched positions by supporters and critics
- · Pat McCrory concedes, calling election NC's closest governor's race in modern history
- Green Party switches strategy in Pennsylvania recount bid
- · Durham begin recounts; Bladen protest denied
- · Durham recount in governor's race ordered to be done Monday night

Fleming, Joan

From:

Fleming, Joan

Sent

Wednesday, January 04, 2017 8:34 AM

To:

Subject:

RE Cumberland 11-08-2016 Protests - Legal Team Info - Update

Thank you Jerry. Should I expect to see copies of the email messages regarding your protest any time soon? Also, since Mr. Moss was not the person who supplied the protest documents to you, are you able to identify the person who did provide them?

Thank you for your candor and cooperation in this matter.

Joan

Joan M. Fleming, CFE/Chief Investigator North Carolina State Board of Elections 441 N. Harrington Street Post Office Box 27255 Raleigh, NC 27611 919.715.1792 office | 919.715.0135 fax www.ncsbe.gov

Email correspondence to and from this sender is subject to N.C. Public Records law, and may be disclosed to third parties. This email transmission and information contained herein, including any attachments hereto, are confidential, intended only for the recipient(s) designated above, and may contain information that is legally privileged, attorney work product, or exempt from disclosure under applicable law. If you have received this email in error, or are not the named recipient(s), you are hereby notified that any review, dissemination, distribution, or copying of this email and the information contained herein is strictly prohibited. In that event, please immediately notify the sender and delete the original message, as well as any attachments, permanently and immediately.

---Original Message--

From

Sent: Wednesday, January 04, 2017 7:52 AM

To: Fleming, Joan <loan, Fleming@ncsbe.gov>; Martucci, Matthew < Matthew Martucci@ncsbe.gov>

Cc

Subject: RE: Cumberland 11-08-2016 Protests - Legal Team Info - Update

Ms Fleming,

A clarification on the POC information.

Jesse Moss was not involved in any of the legal aspects of the protests and I should not have included his information. Jesse Moss is a reporter/researcher for American Issues out of New York. They were (are) producing a documentary on NC voting. His team has performed video interviews, taken video of this and other Cumberland hearings, and taken

video of Cumberland early voting. I provided in his least the 2012 is, that are public doc2136, of rade 8 me background for their preparation for the Nov 21, 2016 election protest probable cause hearing. They taped this hearing.

VR, Jerry B. Reinoehl — jreinoehl@nc.rr.com wrote: > Sir, > > This is the contact info I have: > Initial: Jesse Moss (original protest documents) Erin Clark, eclark@hvit.law, > (859) 954-8974 (follow-up) > > Post Probable Cause Hearing: Steven P. Saxe, spsaxe@hvjt.law; Michael > Williams, michael.williams@ncgop.org > > VR; > Jerry B. Reinoehl > > — "Martucci wrote: >> Thank you so much. >> I need the names of the legal team? >> >> ---Original Message--->> From: jreinoehl@nc.rr.com [mailto:jreinoehl@nc.rr.com] >> Sent: Tuesday, December 13, 2016 2:12 PM >> To: Martucci, Matthew < Matthew. Martucci@ncsbe.gov> >> Cc: jreinoehl@nc.rr.com >> Subject: Cumberland 11-08-2016 Protests >> >> Sīr, >> >> The Legal Defense Team supporting the Governor McCrory election drafted the Cumberland County protests for my signature and submission. The legal team identified the individuals and I was not provided any of the information used to identify those named in the protests who may have committed voting irregularities. >> >> The legal team was aware of the date, time, and location of the Cumberland County probable cause hearing. I was advised there would be legal representation provided with sufficient documentation to support a probable cause

determination. The meeting was called to order and I proceeded without legal assistance. The legal team did not attend

Fleming, Joan

From:

Sent: To: Wednesday, January 04, 2017 2:16 PM Fleming, Joan; Martucci, Matthew

Cc

Subject

Cumberland 11-08-2016 Protests - Background

Attachments:

Cumberland_County_11-8-2016_Reinoehl_Election_Protest_documents.zip_renamed

Ms. Fleming,

The attached zip file includes the following documents relevant to my contact with the McCrory Legal Defense Team and others pertaining to the Cumberland County election protests that I filed.

Per our discussion, I will retain the original emails, messages, and other information and data used to support the protests.

Zip File Directory:

201611161824_email_SUBJ_Cumberland_County_Protest_Erin_Clark_to_Jerry_Reinoehl_w_enclosures 201611170616_email_SUBJ_Cumberland_County_Protest-

signed documents attached JBR to Erin Clark w enclosures

201611170940 email_SUBJ_Cumberland_County_Protest-signed_documents_attached_Erin_Clark_to_JBR

201611181510_email_SUBJ_preliminary_hearing_IBR_to_Terri_Robertson_Cumberland_BoE_CC_Erin_Clark

201611181549_email_SUBI_Cumberland_County_Protest-Prelininary_Hearing-Going_to_need_help_IBR_to_Erin_Clark

201611250850_email_SUBJ_Cumberland_County_Protest_Erin_Clark_to_JBR-Michael_Williams-Steven_Saxe

201611250851_email_SUBJ_Cumberland_County_Protest_JBR_to_Michael_Williams-Steven_Saxe-

Erin Clark w enclosures

Cumberland County BoE_votes_2-1_to_dismiss_complaints_Andrew_Barksdale_FayO_20161121

Cumberland Reinoehl (Felon) signed undated

Cumberland Reinoehl (Interstate Voter) signed undated

Fayetteville_resident_files_2_election_protests_with_help_of_McCrory_campaign_Andrew_Barksdale_Fay0_20161118 NC_11-08-2016_Cumberland_JBR_Protest_Phone-Message_Logs_20170103

VR,

Jerry B. Reinoehl

Date: Friday, November 25, 2016 8:51 AM

From:

To: Michael Williams <michael.williams@ncgop.org>, Steven P. Saxe <spsaxe@hvjt.law>

Cc; Erin Clark <eclark@hvjtlaw>, jreinoehl@nc.rr.com

Subject: Re: Cumberland County Protest

Sirs,

Believe the Cumberland BoZ should have considered each protest separately.

Recommend you advise on an appeal on the protest for the felon voter but let's not pursue the protest on the out of state voters.

The Chaliman's motion for a probable cause finding for the grouped protests did not receive a second and thus died without action. As we have now seen Marc Burris, NC State BoE IT manager, found 369 felons who voted in this election.

During the hearing, the Secretary (Rep) Kevin Hight, remarked [quote from article) "the complaints raised serious questions about some voters that should be investigated, but he didn't think Reinoehl had shown enough evidence to warrant a full-blown hearing."

Very confusing on how Kevin Hight could believe there is an issue of such concern to send to the state for investigation and yet fails to second the motion on a probable cause motion requiring a much lower burden of proof and permitting a vote.

Attached is the information on the felon voter, Jennifer Louise Brunson, NCID , which was provided during the probable cause hearing. At a formal hearing, if the voter attended, her testimony with the attached document and signature comparisons of her NC voter registration application and the authorization to vote (ATV) should be a straight forward determination on her guilt or innocence. Also, she has changed her address from 4706 Needham Dr to 1847 Baywood Dr. That change possibly occurred on Nov 3 when she voted during early voting and after her felony conviction on Oct 4, 2016. Address changes require a new voter application - paper or electronic as in the case during early voting. She would have signed that application committing an additional felony by making a false statement. See attached voter application form.

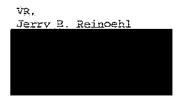
This is the link to the Payetteville Observer story, http://www.fayobserver.com/ news/local/cumberland-county-board-of-elections-votes---to-dismiss/article_c561c 80f-00bd-5b84-a952-024ad0d63512.html

The second protest were allegations that seven voters had also voted in another state. Information I presented during the hearing on one of the individuals, Jerry Levern HENRY, NCID , demonstrated that he had voted in Florida after he voted in North Carolina, not being in violation of NC law. Learned afterward that I was not permitted to access that information on the Florida Department of Elections website, and deleted all the files.

Information developed on Dion Reginold Samuel Jr, NCTD 1, 22 year-old may have been mistaken identity as his father has lived in Fayetteville at the same address but now lives in 51 Paso, TX, but was never registered to vote in NC.

Information developed on William Alexander Barr III, NCID , 21 year-old, may have been mistaken identity as his father has lived in Payetteville at the same address but is not registered to vote in NC. Could not determine where the father was registered to vote.

Information developed on Clay C. Collins (Ur), NCID 18 year-old, may have been mistaken identity as his father Clay C. Collins (Sr) has the same address as the son but is registered to vote in Florida.



---- Erin Clark <eclark@hvjt.law> wrote:

- > Jerry,
- > I have Cored my colleagues, Steve Saxe & Michael Williams, who are still in NC. Steve and Mike, Jerry is our protestor in Cumberland County. The county hoe denied some of our protests. I will let Jerry fill you in on the details and you all can decide if we want to appeal. Jerry, thanks so much for all of your help!
- > Erin
- > > >
- Jennifer_Louise_BRUNSON_NC_DPS_Offender_Public_Info_NOTARIZED_20161119.pdf
- NC_BOE_Voter_Registration_Application_(English)_06W_version112015.pdf

NOTE: Apparently deleted original this email which was received before Friday, Nov 25, 2016 at 8:51 AM

```
---- Erin Clark <<u>eclark@hvJt.law</u>> wrote: > Jerry,
```

> I have Co.ed my colleagues, Steve Saxe & Michael Williams, who are still in NC. Steve and Mike, Jerry is our protestor in Cumberland County. The county boe denied some of our protests. I will let Jerry fill you in on the details and you all can decide if we want to appeal. Jerry, thanks so much for all of

your help!

> Erin

>

Pini

Date: Friday, November 18, 2016 3:49 PM

From;

To: Erin Clark <eclark@hvjt.law>

Cc;

Subject: Re: Cumberland County Protest - Preliminary Hearing - Going to need help

Ms. Clark,

I have observed this Cumberland County Board of Elections in action many times. The Chair (Rep) is a Asst DA, Secretary (Rep), a teacher, and Member (Dem) is also a lawyer. I consider the two Rep members to be friends and am in no way questioning their judgement. They are just very tough on all voter challenges. I appreciate the Board allowing the opportunity to support the charges during a preliminary hearing. They could have just tossed the protests out without

I am not an Attorney. The preliminary hearing is where they expect the accuser to present sufficient evidence to support a probable cause determination of the protest. While some counties may apply "relaxed" standards in interpreting the law, this board is goes to the extreme and I believe sometimes may apply an even stricter interpretation than what may be necessary to obtain a conviction in a criminal case. I recently submitted several voter registration challenges and provided at the preliminary hearing notarized documentation that one believed was sufficient for a probable cause determination. They went into closed session, with the result being to toss out my challenges without any discussion or explanation. I believe it was because they did not like the manner in which the notary certified the documents. One of my colleagues has submitted thousands of challenges, and the process has often been a troubling experience to comply with their unique idiosyncrasies.

They are generally unwilling to have a conversation or negotiation. It is put up or shut up time. One gavel rap and they will adjourn the meeting and walk out.

On Monday, if these challenges are going to be successful, we will have to provide strong documentary evidence supporting the protests. I don't know what, if any, research the BoB staff will perform on the challenges to assist a determination. For voter challenges they normally just verify the voter information and make the required notifications. They don't do investigations and turn that responsibility over to others.

Today's audience included the Director of the local NAACP, and about half-dozenlocal Dem party officials and the liberal media. As you know, the Dems will raise hell. There was some GOP representation.

Link to today's Fayetteville Observer story:

http://www.fayobserver.com/news/local/fayetteville-resident-files-election-protests-with-help-of-mccrory-campaign/article_988deeb3-416a-5f15-b6ec-07a4blafca97.html

VR, Jerry B. Reinochl



---- Erin Clark <eclark@hvjt.law> wrote:

> Thank you, Jerryl I will submit the scanned versions to Cumberland County via smail.

From.

- > Date: Thursday, November 17, 2016 at 6:16 AM
- > To: Erin Michelle Clark <eclark@hvit.law<eclark@hvjt.law>>
- > Subject: Re: Cumberland County Protest signed documents attached >
- > Ms. Clark,
- > Signed copies attached as requested.
- > I will retain original documents awaiting your instructions.
- > V2,
- > Jerry B. Reinoehl
- > ---- Brin Clark <eclark@hvjt.law<eclark@hvjt.law>> wrote:
- > Mr. Reinoehl,
- > I am an attorney for the NC GOP, thank you for your willingness to file the attached protests. If you able, please sign under line 12 on the protests, scan, and email back to me. I will then file with the county. Please let me know if you have any questions, my cell is 859-954-8974.
- > Thank you again,
- > Erin
- >

e entire

Date: Friday, November 18, 2016 3:10 PM

From:

To: Terri Robertson trobertson@co.cumberland.nc.us

Cc: eclark@hvjt.law, jreinoehi@nc.m.com

Subject: Re: preliminary hearing

Ms. Robertson,

Thank you. We will be ready.

VR.

Jerry B. Reinochl

```
--- Terri Robertson <trobertson@co.cumberland.nc.us> wrote:

> Monday 8:00 AM

> Terri Robertson, CERA
> Director of Elections
> 227 Fountainhead Lane Ste 101
> Fayetteville NC 28301
> 910-678-7733 Phone
> 910-678-7738 Fax
> trobertson@co.cumberland.nc.us<trobertson@co.cumberland.nc.us>
> [countyboe]
> All correspondence to and from this address may be subject to the N.C. Public
```

Records Law and may be disclosed to third parties.



Date:

Friday, November 18, 2016 1:51 PM

From:

Terri Robertson robertson@co.cumberland.nc.us

To:

Subject:

preliminary hearing

Monday 8:00 AM

Terri Robertson, CERA Director of Elections 227 Fountainhead Lane Ste 101 Fayetteville NC 28301 910-678-7733 Phone 910-678-7738 Fax trobertson@co.cumberland.nc.us



All correspondence to and from this address may be subject to the N.C. Public Records Law and may be disclosed to third parties.



Date:

Thursday, November 17, 2016 9:40 AM

From:

Erin Clark <eclark@hvjt.law>

To:

Subject:

Re: Cumberland County Protest - signed documents attached

Thank you, Jerry! I will submit the scanned versions to Cumberland County via email.

From:

Date: Thursday, November 17, 2016 at 6:16 AM

To: Erin Michelle Clark <eclark@hvjt.law>

Subject: Re: Cumberland County Protest - signed documents attached

Ms. Clark,

Signed copies attached as requested.

I will retain original documents awaiting your instructions.

VR,

Ienv B. Reinoehl



Erin Clark <eclark@hvit.law> wrote:

Mr. Reinoehl.

I am an attorney for the NC GOP, thank you for your willingness to file the attached protests. If you able, please sign under line 12 on the protests, scan, and email back to me. I will then file with the county. Please let me know if you have any questions, my cell is 859-954-8974.

Thank you again.

Erin



Date: Thursday, November 17, 2016 6:16 AM

From:

Erin Clark <eclark@hvit.law>

To: Cc.

Re: Cumberland County Protest - signed documents attached Subject:

Ms. Clark,

Signed copies attached as requested.

I will retain original documents awaiting your instructions.

VR,

Jerry B. Reinoehl



---- Erin Clark <eclark@hvjt.law> wrote:

- > Mr. Reinoehl,
- > I am an attorney for the NC GOP, thank you for your willingness to file the attached protests. If you able, please sign under line 12 on the protests, scan, and email back to me. I will then file with the county. Please let me know if you have any questions, my cell is 859-954-8974.
- > Thank you again,
- > Erin
- @ Cumberland_double_voter_JBR_signature_20161117.pdf
- Urmberland_felonvoter_JBR_signature_20161117.pdf

Exhibit 2.2.2.1 248 of 278

Date:

Wednesday, November 16, 2016 6:24 PM

From:

Erin Clark <eclark@hvjt.law>

To:

Subject:

Cumberland County Protest

Mr. Reinoehl,

Lam an attorney for the NC GOP, thank you for your willingness to file the attached protests. If you able, please sign under line 12 on the protests, scan, and email back to me. I will then file with the county. Please let me know if you have any questions, my cell is 859-954-8974.

Thank you again, Erin

Gumberland_double voter.doc

Ul Cumberland_felonvoter.doc

http://www.fayobserver.com/news/local/cumberland-county-board-of-elections-votes---to-dismiss/article_c561c80f-00bd-5b84-a952-024ad0d63512.html

to tayobserver

Cumberland County Board of Elections votes 2-1 to dismiss complaints

By Andrew Barksdale Staff writer Nov 21, 2016



Andrew Barksdale

Jerry Reinoehl giving sworn testimony before the Cumberland County Board of Electrons.

The Cumberland County Board of Elections has disregarded two election protests prepared by Republican Gov. Pat McCrory's campaign legal team.

At a preliminary hearing Monday morning, the Republican-controlled board voted 2-1 to dismiss the complaints alleging that eight county voters who cast ballots in the Nov. 8 election were ineligible; the complaints argued their votes should be excluded in final county tabulations.

The dismissal follows similar complaints tossed out by other election boards around the state that were lodged by McCrory, who is unofficially trailing Democratic challenger Roy Cooper by about 6,600 votes in the governor's race, according to state returns.

McCrory, who was in Fayetteville on Monday for a gathering of his Matthew Recovery Committee, has not conceded the race, and he may ask for a recount after the state finalizes the totals by next week.

"We look forward to the State Board of Elections reviewing all of the protests on appeal," Russell Peck, McCrory's campaign manager, told The Fayetteville Observer in an email Monday. "The state board has more access to more information, and more resources to help resolve the merits of the protests than any county board."

The Cooper campaign said his lead has grown to about 8,000 votes after counties finished counting absentee and provisional ballots last week. On Monday, Cooper named the people who will lead his transition team to become the state's next governor in January.

The two Cumberland County election protests were signed by Jerry Reinoehl, a registered Republican and Fayetteville resident. He told the board he thought a McCrory lawyer would join him Monday, but he was alone as he sat across from the three board members to answer questions.

Harvey Raynor, the board's ione Democrat, asked Reinoehl if the disputed ballots would change the outcome of any local race.

"I don't know whether they will be, because this is part of a statewide process," Reinoehl said.

Raynor pressed him further: Would his complaints change any of the results in this county?

"The answer is they would not affect any of the local contests in Cumberland County," Reinoehl said.

Kevin Hight, a Republican on the board, said the complaints raised serious questions about some voters that should be investigated, but he didn't think Reinoehl had shown enough evidence to warrant a full-blown hearing.

Raynor and Hight voted to dismiss, with James Baker, the Republican chairman of the elections board, voting in dissent. Baker said Reinoehl had met the statutory threshold of having enough preliminary evidence, called probable cause, to warrant a full hearing.

"It was not a frivolous issue," Baker said afterward. "There was something there."

One complaint alleged a felon illegally cast a ballot, and the other protest claimed seven voters registered in this county also voted in other states for the general election.

On Monday, the Cumberland County Board of Elections wrapped up a third day to finish counting about 2,700 provisional ballots; of those, 1,889 were disapproved for a variety of reasons.

The county board is set to hold the voter canvass at 4 p.m. Tuesday to make the results official and report them to the state.

Staff writer Andrew Barksdale can be reached at barksdalea@fayobserver.com or 486-3565.

http://www.fayobserver.com/news/local/fayetteville-resident-files-election-protests-with-help-of-mccrory-campaign/article_988deeb3-416a-5f15-b6ec-07a4b1afca97.html

to fayobserver

Fayetteville resident files 2 election protests with help of McCrory campaign

By Andrew Barksdale Staff writer Nov 18, 2016



File photo-

Jerry Reinoehl, then a City Council candidate, participates in a forum in 2013.

With the help of Gov. Pat McGrory, a Fayetteville resident has filed two election protests alleging eight people should not have cast ballots in what has become a contentious and protracted election.

Jerry Reinoehl signed the protest forms, which were prepared by the McCrory campaign's legal team as part of a broader strategy to delay the final tabulation of the Nov. 8 election results until questionable ballots can be scrutinized in the still-undecided governor's race.

The two local protests allege that one felon voted and seven county residents voted in multiple states.

"The legal team is the one that did the research," said Reinoehl, a 71-year-old registered Republican and retired Army major. "They have the tools."

The Republican-controlled Cumberland County Board of Elections agreed Friday by a 2-1 vote along party lines to hold a preliminary hearing Monday at 8 a.m. to determine if there is any merit to the complaints.

Similar election protests were filed in more than half of the state's 100 counties Thursday on behalf of the Republican first-term governor, who is trailing Democratic challenger Roy Cooper by a thin margin but has not conceded the race.

The governor's campaign spokesman, Ricky Diaz, said more than 80 counties have postponed their canvassing meetings until next week. The meetings were supposed to have been completed Friday.

"Roy Cooper is making presumptuous statements based on piecemeal results from a handful of Democrat-leaning counties in order to deflect attention away from serious voter fraud concerns that are emerging across the state," Diaz said in a statement Friday.

In a conference media call Friday afternoon, Marc Elias, who is a Cooper campaign lawyer, said the campaign has observers spread across the state where county election boards have been tallying provisional and absentee ballots this week.

Based on the Cooper campaign's figures, his margin had grown to 7,448 as of Friday afternoon, Elias said.

On election night, McCrory was trailing Cooper by about 5,000 votes.

Elias described the McCrory-led complaints as an "endless set of frivolous protests" that do nothing but needlessly delay the election results, waste taxpayer dollars and "besmirch the integrity of the elections run by Republicans at the county level."

Elias announced that election boards in Wake, Orange and Halifax counties have voted to dismiss similar election protests.

And according to The Associated Press, the Durham County Board of Elections voted unanimously Friday to dismiss an election protest brought by the McCrory campaign, who said early voting ballots may have been mishandled. The governor was seeking a recount of 94,000 ballots.

In Cumberland County, the election board's two Republicans, James Baker and Kevin Hight, followed the recommendation of County Attorney Rick Moorefield to schedule a probable-cause hearing Monday to consider the two protests signed by Reinoehl.

At issue was whether the two protests should be considered before or after the voter canvass, which is when a county makes all election results final. Moorefield said he read the state statutes and called the State Board of Elections for advice.

"The law is not settled on this issue," Moorefield said.

The board's lone Democrat, Harvey Raynor, said he disagreed, adding that the complaints centered on the eligibility of eight voters and did not question how county officials conducted the election.

"It's eight votes," Raynor said. "Eight votes will not affect any election."

The Cumberland County board members agreed to resume the canvass meeting at 4 p.m. Tuesday, when they hope the state returns several hundred provisional ballots cast in the election by people who claimed to have registered with the Division of Motor Vehicles.

When a voter's name is missing in the roll, he or she votes provisionally; the voter registration is reviewed later, before officials decide whether to fully or partially count the ballot or reject it. But counties had to send DMV-related provisional ballots to the state for a final determination. There is a pending lawsuit against the state over the DMV issue.

Cumberland County had 2,732 provisional ballots in the general election, and the county board met for most of Thursday and Friday reviewing most of them. About 800 were fully or partially approved, and at least 300 were related to DMV.

Terri Robertson, director of the Cumberland County Board of Elections, said about 1,800 provisional ballots don't appear to be eligible to be cast. The election board was to resume reviewing them Monday.

Staff writer Andrew Barksdale can be reached at barksdalea@fayobserver.com or 486-3565.

254 of 278

NOTE: Landline telephone log device only maintains most recent 25 entries. I could not recover any November call logs.

Nov 16, 2016 email from Erin Clark, McCrory Legal Defense Team, indicates we had a conversation. As discussed above, there is no record in my cellphone log so believe the initial conversation was on this phone. This is the telephone number listed in my public NC voter information.

Cellphone log related to interactions with McCrory Legal Defense Team, Cumberland County Board of Elections, Cumberland County Republican Party, and Governor McCrory's office on the Cumberland County Election Protests:

Nov 18, 2016

10:01 Andrew Barksdale, Fayetteville
Observer – received copies of protests from Cumberland
County (CC) BoE and wanted input for a newspaper article

10:09 (859) 954-8974 – Erin Clark, McCrory Legal Defense Team – did not answer call – left voice mail. (see message log entry)

13:50 (910) 678-7736 — Terri Robertson, CC BoE — advised probable cause hearing date/time/location

Nov 20, 2016

15:36 Susan Mills, Chair, CC Republican Party – apologizes for NC GOP no-show at hearing and offers assistance with NC GOP.

Nov 21, 2016

18:23 Robert Andrews, Governor McCrory staff – apologizes for legal team no-show and if needed, offers assistance.

Nov 23, 2016

08:52 (859) 954-8974 – Erin Clark, McCrory Legal Defense Team – did not answer call. (see message log entry) ← Erin Clark ▼ (859) 954-8974:

SALE MORE

Friday, November 18, 2015

At the boe, Cumberland County election protest scheduled for 1100. I 10:54 have originals if needed.

10:55 Not optimistic

Thank you for letting me know!

Left the meeting Since I have no evidence to submit if called as a witness

11:01

That's fine.

Cc boe will have a preliminary hearing Monday 9800 am. If you will not be here may need documents to support protests.

Saturday, November 19, 2016

Any help coming for Monday, or are 12:03 am I on my own?

You are not required to attend the hearing. We should have an attorney in attendance.

12.42 Ok

1270

Monday, November 21, 2016.

It was lonely without legal assistance. Vote 2 to 1 against probable cause. Now you must decide if there is an appeal. My own research provided doc to prove Brunson was a felon convicted 10/04/2016 violated law, and Jerry levern. Henry voted in no and Florida. Provided Henry's FL voter registration and voter history.

I'm so sorry, the state boe directed the county boes to halt hearings until the state heard the petitions.

14:35

Wednesday, November 23, 2016

Following yesterdays bee meeting, 09:55 any plans for a Cumberland appeal

Sry! can't answer my phone right now. I'm going to Cc you on an email with my colleague. Steve, who is still in NC.

08 50





NCSBE Report of Investigation

Case Number: 2016-166

Investigator(s): Joan Fleming/Matthew Martucci

Document: Interview Report - John Rowerdink on 12/20/2016 and 1/10/2017/Telephonic, and

1/24/2017 - Supplement;

County(s): Multiple

Subject(s): November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome -

11/08/2016 General Election;

On 12/20/2016, John Rowerdink,

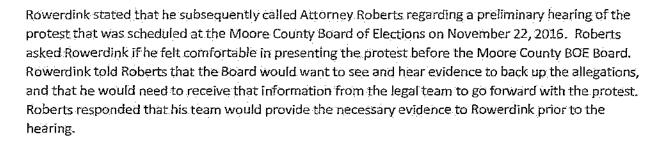
was telephonically contacted by NCSBE Investigators Ioan Fleming and Matthew Martucci. After being advised of the identity of the interviewing officials, and the purpose of the interview, Rowerdink provided the following information:

Rowerdink is a retired executive of Mobile Oil Company.

Rowerdink stated that sometime shortly after the November 8, 2016 General Election, he was contacted by a member of the "legal team" representing Governor Patrick McCrory and asked if he was willing to assist their efforts to secure an election re-count for McCrory by filing an election protest in Moore County. He stated that the caller, who was female, stated that the legal team was planning to file a protest in Moore County and "needed someone to sign." He was unable to recall the caller's name.

Rowerdink felt that as long as the protest was well grounded and not frivolous, he could support it, and he agreed to take a look at it. He commented that he has a good relationship with the Moore County Board of Elections (BOE), and he did not want to be involved in anything that could adversely affect that relationship.

Rowerdink advised that soon after receiving the above call, he received an email with an attachment containing the protest document. The protest document already contained all of the relevant information needed to file the protest and he was simply being asked to sign and return it. He read the protest and did not see anything that he felt was questionable. The protest contained the names and addresses of four voters who had allegedly double voted, which Rowerdink considered to be a "serious issue." Rowerdink printed the protest document and signed it and then attempted to send it back via facsimile. However, he was unsure as to whether the fax went through. He recalled calling Attorney Steve Roberts, who had emailed him the protest document, to confirm whether his protest document was received. He was advised by Roberts that he had received the first three pages, but not the last page with Rowerdink's signature. Accordingly, Rowerdink re-sent the fourth page to Roberts. Rowerdink did not personally submit the protest documents to the Moore County Board of Elections but rather emailed them back to the legal team as described above. He believed his protest was thereafter submitted to the Moore County BOE by the legal team.



Rowerdink stated that at the time he agreed to help the protest effort by signing the protest documents he was led to believe that the McCrory team of lawyers would provide him with the supporting evidence to support the claims of voter fraud against the four voters named in his protest. Rowerdink was never told where or how the law firm developed their evidence against the named voters.

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Rowerdink attended the preliminary hearing on November 22, 2016, without ever receiving any documentation from the legal team. In advance of preliminary hearing, knowing that he had no evidence, Rowerdink prepared some written notes that he intended to read at the hearing. The notes stated that the protest "originated with Governor McCrory's legal team" and that Rowerdink had no reason to doubt the veracity of its' content. However, he stated that since he had not been provided with any documentation, he planned to withdraw the protest. Rowerdink could not recall if he presented all or part of his comments at the hearing, but he was certain that he ultimately opted not to withdraw his protest because Moore County BOE Director Glenda Clendenin asked him not to.

At the hearing, Clendenin presented her evidence which involved a female voter who voted in both North Carolina and Florida. Rowerdink stated that Clendenin contacted the Florida BOE and found that the same day the voter voted early in NC, she (the voter) requested a Florida Absentee ballot, which she subsequently voted.

Rowerdink stated that if Clendenin had not done the work to research the above voter, he would have withdrawn his entire protest prior to the preliminary hearing because he "had no evidence." He stated that prior to the hearing he made multiple attempts to obtain the evidence he needed from the law firm, by making telephonic and email requests, but the legal team never provided him with any evidence. He recalled that at one point he sent an email to Attorney Steve Roberts, informing Roberts that a second hearing was set for 11/30/2016 at the county BOE to hear the case against the above referenced Florida double-voter. Rowerdink was seeking direction from Roberts as to whether he

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"Mr. Rowerdink – to confirm, the protest is yours alone, and you may withdraw it at your sole discretion. Best, Steve Roberts"

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to the Iredell County BOE, alleging that three votes were cast in the county by individuals who were deceased. The protest was dismissed by the Iredell County BOE based upon no witnesses appearing at the hearing to present evidence and because the BOE found that all three voters died after they had legally voted. The protest was delivered to the Iredell County BOE via an email from Attorney Steve Roberts. The Iredell County BOE had no contact with Heather Corbin and notices they attempted to send to her address of record via certified mail were returned as "unclaimed."]

Rowerdink thereafter sent an email advising Roberts and the Moore County BOE that he was formally withdrawing his protest. Rowerdink stated that in hindsight he felt that if "they" (the legal team) had delivered the evidence as they had promised, he could have supported the protest effort he was recruited to support.

Rowerdink admitted that at the time he signed the protest document, he had no personal knowledge of any evidence to support the allegations against any of the four voters named in his protest. The interviewing officials drew his attention to his specific answers to questions in the protest and he responded as follows:

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Question 7: This question asked the protestor to "set out all election laws or regulations that you allege were violated" and to name the alleged violators. Rowerdink did no research on election laws or regulations in association with the protest and he had no information to furnish as to the names, addresses and phone numbers of any of the named voters. Although the question asked the protest author to provide that information for persons who "you allege committed such violations", when asked if he personally had knowledge of any of the names listed in his protest as having voted in multiple states he answered, "Of course not." He stated he relied on the information provided by Governor McCrory's lawyers.

Question 8: This question asked for the protest author to identify the "names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in this protest, and specify what each witness saw or knows." Rowerdink completed this question by filling in his (Rowerdink's) information. When asked if he had actually witnessed any misconduct or seen any evidence to support the allegations in Questions 5 and 7, he answered that he "did not witness any conduct."

Question 9: This question asked what remedy Rowerdink was seeking as a result of his protest. His answer as stated in the protest was that, "The Moore County Board of Elections must invalidate all ballots for any office whatsoever deemed to be cast by persons who voted in multiple states in violation of state law, as set forth in Sections 5 and 7, above." (Questions 5 and 7) Rowerdink stated that if any of the named voters did in fact vote twice, he wished for their votes to be invalidated.

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A copy of the above referenced email chain in which Rowerdink informed the Moore County BOE of his intention to withdraw the protest was obtained from Director Clendenin and is attached and made a part hereto. Rowerdink advised that he maintains his own file of documents associated with the 2016 General Election and that he would provide copies of relevant emails and documents to the investigators.

A copy of the protest signed by Rowerdink and submitted to the Moore County BOE is also attached.//

<u>Supplement:</u> On 01/24/2017, Rowerdink provided copies of emails received from and/or sent to Steve Roberts, the NCGOP, and Katie Kouba, between 11/16/2016 and 11/30/2016. He stated that he may have additional email from the same individuals, but that the attached are the most relevant to the inquiry by the NCSBE. They are attached to this report.//

NCSBE Report of Investigation

Case Number: 2016-166

Investigator(s): Joan Fleming/Matthew Martucci

Document: Interview Report – John Rowerdink on 12/20/2016 and 1/10/2017/Telephonic, and

1/24/2017 - Supplement;

County(s): Multiple

Subject(s): November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome -

11/08/2016 General Election;

On 12/20/2016, John Rowerdink

was telephonically contacted by NCSBE Investigators Joan Fleming and Matthew Martucci. After being advised of the identity of the interviewing officials, and the purpose of the

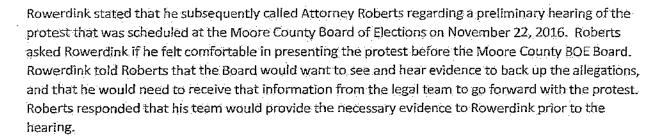
interview, Rowerdink provided the following information:

Rowerdink is a retired executive of Mobile Oil Company.

Rowerdink stated that sometime shortly after the November 8, 2016 General Election, he was contacted by a member of the "legal team" representing Governor Patrick McCrory and asked if he was willing to assist their efforts to secure an election re-count for McCrory by filing an election protest in Moore County. He stated that the caller, who was female, stated that the legal team was planning to file a protest in Moore County and "needed someone to sign." He was unable to recall the caller's name.

Rowerdink felt that as long as the protest was well grounded and not frivolous, he could support it, and he agreed to take a look at it. He commented that he has a good relationship with the Moore County Board of Elections (BOE), and he did not want to be involved in anything that could adversely affect that relationship.

Rowerdink advised that soon after receiving the above call, he received an email with an attachment containing the protest document. The protest document already contained all of the relevant information needed to file the protest and he was simply being asked to sign and return it. He read the protest and did not see anything that he felt was questionable. The protest contained the names and addresses of four voters who had allegedly double voted, which Rowerdink considered to be a "serious issue." Rowerdink printed the protest document and signed it and then attempted to send it back via facsimile. However, he was unsure as to whether the fax went through. He recalled calling Attorney Steve Roberts, who had emailed him the protest document, to confirm whether his protest document was received. He was advised by Roberts that he had received the first three pages, but not the last page with Rowerdink's signature. Accordingly, Rowerdink re-sent the fourth page to Roberts. Rowerdink did not personally submit the protest documents to the Moore County Board of Elections but rather emailed them back to the legal team as described above. He believed his protest was thereafter submitted to the Moore County BOE by the legal team.



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ELECTION PROTEST

Use of this form is required by G.S. 163-182.9(c)

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional

sheets and attachments.
1. Full name and mailing address of person filing the protest.
John Rowerdink 15 McMichael Drive Pinehurst, NC 28374
2. Home and business phone number, fax mumber, and e-mail address.
Home/Business phone: 910-235-0644 Fax: N/A Email: jrowerdink@aol.com
3. Are you either a candidate or registered voter eligible to vote in the protested election? If a candidate, for what office?
Registered voter
November 8, 2016 General Election. All candidates and issues on the ballot indicated for that election. 5. Does this protest involve an alleged error in vote count or tabulation? If so, please explain in detail. Upon review of early voting files from other states, it appears that four (4) individuals cast ballots in both North Carolina and another state, Casting a ballot in more than one state is a clear violation of North Carolina and federal
election laws. Therefore, these ballots were erroneously counted and tabulated by the MOORE County Board of Elections.
6. Does this protest involve an irregularity or misconduct not described in number 5 above? If so, please give detailed description of such misconduct or irregularity and name those who committed such action.
No.
7. Please set out all election laws or regulations that you allege were violated in your responses to 5 or 6 above. State how each violation occurred. Please provide the names, addresses, and phone numbers of those who you alleg committed such violations.
N.C. Gen. Stat. 8 163-82.1

11/16/2018 22:58 FAX

@n01

In violation of the statutes provided for above, invalid ballots were cast by the following persons known to have voted in multiple states:

KALEY I MULDER MURRAY HILL RD, APT 132, SOUTHERN PINES, NC 28387-6288 CAROL ANN TURNER, CHOKE CHERRY LN, PINEHURST, NC 28374-9344 ANNE FINKS HUGHES, MCQUEEN PL, PINEHURST, NC 28374-8951 WILLIAM JEROME HUGHES, MCQUEEN PL, PINEHURST, NC 28374-8951

8. Please provide the names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in this protest, and specify what each witness listed saw or knows.

John Rowerdink 15 McMichael Drive Pinchurst, NC 28374 910-235-0644

9. What action do you desire the county board of elections to take in this matter?

The Moore County Board of Elections must invalidate all ballots for any office whatsoever deemed to be cast by persons who voted in multiple states in violation of state law, as set forth in Sections 5 and 7, above.

10. Do you contend the allegations set out by you are sufficient to have affected or cast doubt upon the results of the protested election? If your enswer is yes, please state the factual basis for your opinion.

Yes. The described allegations clearly demonstrate that ballots east by persons who voted in multiple states, for the election held on November 8, 2016 in MOORE County, are invalid under State law. The invalid ballots east by persons who have voted in multiple states in violation of state and federal law, must not be counted for any office voted.

11. Have you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests?

Yes.

How many pages of additional answer are attached to this protest? 0
 How many pages of anadyments are attached? 0

Signature of Protestor

Date/Time Filed with County Board

(to be filled out by the county board)

NOTE: The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election audit with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections, PO Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.

267 of 278

Subj:

Election Protest

Date:

11/16/2016 9:34:09 P.M. Eastern Standard Time

From: To: sroberts@hvit.lew

Ms. Corbin -

I am an attorney with the McCrory legal team. Thank you for your willingness to file the attached protests. If you are able, please sign under line 12 on the protest, scan, and email back to me. You can also fax it back to me at 540-341-8809. I will then file with the county. Please let me know if you have any questions, my cell is 202-294-1613.

Thank you again, Steve Roberts

Steve Roberts sroberts@hvit.law

Holtzman Vogel Josefiak Torchinsky PLLC 45 North Hill Drive, Suite 100 Warrenton, VA 20186 C: 202:294:1613

O: 540,341,8808 F: 540,341,8809

Admitted in Virginia and D.C.

PRIVILEGED AND CONFIDENTIAL

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in religious upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above ernall address. Thank you.

DISCLAIMER

Any accounting, business or tax edvice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel Josefiek, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Page I of I

Exhibit 2.2.2.1

268 of 278

Subj: .

Protests at Counties Tomorrow

Date:

11/21/2016 10:05:39 P.M. Eastern Standard Time

From:

elections@ncgop.org

Good Evening -

Thank you for volunteering to submit an election protest to your county board of elections. We appreciate your help in this project. The county boards of elections will conduct any fact-finding at a hearing in the next several days. To the extent necessary, our attorneys have provided information directly to the county boards that would assist with their fact-finding. You do not need to go to the county board of elections hearing, nor do you need to present any evidence or make any arguments. The state board of elections will determine legal matters related to the protests beginning tomorrow.

We are working to get attorneys to all counties, but with all of the rescheduling we can not guarantee one will be at your county's meeting. Again, you do not have to defend your protest in person.

On behalf of the NCGOP, I thank you again for your help on this matter.

Thanks!

	Exhibit 2.2.2.1	269 of 278
Subj: Date: From: To: CC:	RE: Moore Canvass Information 11/21/2016 7:13:56 P.M. Eastern Standard Time sroberts@hvit.law, katie.kouba@ncgop.org, bandjscholtes@nc.rr.com noaklev@elon.edu, sarahnlanier@omail.com, spsaxe@hvit.law	
Any idea w	hen we will get this?	
John Rowe	rdink	
On Monda	y, November 21, 2016 Steve Roberts ≺sroberts@hvjt.law> wrote:	
John, you'l	be receiving information shortly from my colleague Steve Saxe.	
Thanks, Ste	eve Roberts	
	863	
Steve Robe		
202.294.16	513	
Holtzman !	Vogel Josefiak Torchinsky PLLC	
To: <u>katie,k</u> Cc: noakle	day, November 21, 2016 4:35 PM ouba@ncgop.org; bandjscholtes@nc.rr.com v@elon.edu; sarahnlanier@gmail.com; Steven P. Saxe; Steve Roberts Re: Moore Canvass Information	
	the evidence. It is simply a copy of the protest, I've left phone and email me ry lawyer handling this and haven't heard back. This is getting a little ridiculo	
John		

On Monday, November 21, 2016 Katie Kouba katie.kouba@ncgop.org wrote:

Attached!

Sarah, are you able to be there? I'm copying Steve Saxe, a lawyer who he been working on these, to this email if

Evhibit 2 2 2 1

D.D.		2/0 01 2/0
you have any specific questions!		
Best,		e e
Katje	i.	d de
8		
On Mon, Nov 21, 2016 at 4:04 PM	I, Katie Kouba < <u>katie kouba@ncgop.org</u> > wro	fe:
I'm not sure about Sarah. Neil wil	l arrive around 11 a.m. from what I understan	ď.
	a .	
	в	
Thanks, I will be at the meeting, t	I, < <u>bandischoltes@nc.m.com</u> > wrote: out (.am not a litigator. I hope that Neil Oakley evidence we will be presenting. So, yes, pleas	or Sarah Lanier will be present se connect me with our attorney
	to the protest meeting tomorrow? I can give you a brief on it. It is at 9 a.m.	15
> > On Mon, Nov 21, 2016 at 3:12 I	PM, <bandischoltes@nc.rr.com> wrote:</bandischoltes@nc.rr.com>	
	rd of Elections meets tomorrow. If they provisional ballots and the canvass then, l reports.	
 > In the meantime, I am returnit > provisional ballots. I have elit > original spreadsheet and have > show you whether the Board 	ng the spreadsheet you sent me concerning minated some unnecessary columns from the eadded two at the end. These latter columns has made a determination to allow or disallow son for their decision. The blank cells ending.	a
	reconsider some of these decisions.	
	werdink, our Chairman, and he had the same he spreadsheet. Our local newspaper,	

>> however, came up with different totals. So, the totals might be slightly

> > different when finalized.

>> >>Bii

>> — Katie Kouba < katie kouba@ncgop.org > wrote:

>>> Good Evening -

>>>

>>>

```
>>>
>>> apologize for how late this message is coming. Attached to this e-mail
>>> a few documents to help you at your county canvass. Please let me know
>>> you have any trouble opening any of the documents!
>>>
>>> Please call us at 919-626-8800 if you have any questions and to give us
>>> updates as you are able.
>>>
>>>
>>>
>>> Best,
>>>
>>> Katie Kouba
>>>
>>
> Katie Kouba
> Senior Political Director
North Carolina Republican Party
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Katie Kouba

Senior Political Director

North Carolina Republican Party

Katie Kouba

Senior Political Director

North Carolina Republican Party

The election profest that is the subject of this hearing originated with Governor McCrory's legal team. It required signature by a registered voter in Moore County and I agreed to sign it, depending on the veracity of the information contained in it.

I have no reason to doubt that veracity, but over the course of this past weekend, the Governor's legal team failed to provide me with a copy of the evidence supporting the protest.

Therefore, I withdraw the protest, with apologies to the individuals named in it for whatever distress it has caused them.

rage 1 of 1

Exhibit 2.2.2.1

273 of 278

Subi:

Moore County Profest

Date:

11/30/2016 6:27:35 A.M. Eastern Standard Time

From: To:

sroberts@hvit.law

CC:

elections@moorecountync.gov

Steve... The formal hearing in Moore County on Kaley Mulder, one of the voters in the Moore County protest, is scheduled to take place in Carthage, NC this morning. I am planning to attend. I'm being asked by the Moore County BOE if we want to withdraw the protest. I've told them it's not my decision and would refer it to you. I left two phone messages for you yesterday but have not heard back. The hearing is scheduled at 10 AM so if we're going to withdraw, I need to know ASAP. Thanks.

John Rowerdink

T. TO A DEAD AD. Y Y

274 of 278

Subj:

Re: Moore County Protest

Date:

11/30/2016 11:52:10 A.M. Eastern Standard Time

From:

sroberts@hvit.law, Idemastus@nc.m.com, jrowerdink@aol.com, gop.mcm@qmail.com, ibeddow@nc.π.com, Lbim@aol.com, bandischoltes@nc.m.com, lydiaowen@aol.com, hmendelson@nc.π.com, mkgw824@gmail.com, noakley@elon.edu, laslexo@gmail.com

CC:

elections@mcorecountync.gov

FYI, I have today withdrawn our protest of the Moore County election, at a hearing scheduled this morning in Carthage. I had referred the matter to the Governor's legal team earlier this morning and his response is shown below.

At the Moore County BOE canvass yesterday, the vote of Kaley Mulder was accepted on the premise that she was a duly registered voter in Moore County at the time she voted and at that time, her Florida vote had not yet taken place. It is also my understanding that the question of her violation of the law will still go forward, most likely in Florida. Considering these things, nothing was to be gained by going forward with the protest at this time. Further, I understand that withdrawing the protest will save a lot of work for our local BOE. For these reasons, I felt it made sense to withdraw.

John :

In a message dated 11/30/2016 9:20:15 A.M. Eastern Standard Time, sroberts@hvjt.law writes:

Mr. Rowerdink – to confirm, the protest is yours alone, and you may withdraw it at your sole discretion.

Best, Steve Roberts.

Steve Roberts

202.294.1613

Holtzman Vogel Josefiak Torchinsky PLLC

From:

Sent: Wednesday, November 30, 2016 6:28 AM

To: Steve Roberts

Cc: elections@moorecountync.gov Subject: Moore County Protest

Steve... The formal hearing in Moore County on Kaley Mulder, one of the voters in the Moore County protest, is scheduled to take place in Carthage, NC this morning. I am planning to attend. I'm being asked by the Moore County BOE if we want to withdraw the protest. I've told them it's not my decision and would refer it to you. Heft two phone messages for you yesterday but have not heard back. The hearing is scheduled at 10 AM so if we're going to withdraw, I need to know ASAP. Thanks.

John Rowerdink

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NCSBE Report of Investigation

Case Number: 2016-166

Investigator(s): Joan Fleming/Cheryl Travers

Document: Interview Report – Aysha Nasir on 4/4/2017;

County(s):

Multiple

Subject(s):

November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome -

11/08/2016 General Election;

On 4/4/2017, Aysha Nasir, was interviewed by NCSBE Investigators Joan Fleming and Cheryl Travers. After being advised of the identity of the interviewing officials, and the purpose of the interview, Nasir provided the following information:

Nasir is a 2012 graduate of the University of Maryland at College Park and is a freelance writer of "web copy" and science fiction. Her date of birth (DOB) is

Nasir stated she initially learned that she was named in an election protest when she was contacted and informed of the protest by Bob Hall of Democracy North Carolina. She advised that she does not know and has never met the "author" of the protest, Evelyn Poole-Kober, and likewise does not know any of the other five individuals accused in the protest by Kober of double-voting in North Carolina and in another state.

Nasir stated that she grew up in the state of Maryland and resided at which is where her father is still currently residing. She stated that her father is a corporate attorney for Alston and Bird in Washington D.C. Prior to moving to north Carolina, she was registered to vote in Maryland and voted there as a valid, registered voter. She advised that she has voted via absentee ballot in Maryland in the past.

Nasir moved from Maryland to Chapel Hill, North Carolina in 2016 and registered to vote in Orange County, NC at the Department of Motor Vehicles (DMV) on July 25, 2016. She thereafter voted early "One-Stop" in Orange County, NC for the November 8, 2016 General Election.

Nasir deried that she voted in Maryland in the November 8, 2016 General Election and stated that she did not know why someone would accuse her of having done so. She stated she is "disappointed but not surprised" to find that a person can accuse someone in a legal document of a voting violation in North Carolina without providing any evidence or informing that person of the accusation. Nasir added that she "followed the law" and "did her duty as an American" and that being wrongfully accused made her feel vulnerable. She wondered if the point of filing the protest was to make her fearful of voting. She also wondered if her ethnic background was related to the reason she was singled out by Kober. Nasir explained that her family heritage is Palestinian and that some of her family were refugees. She commented that it was her belief that part of being or becoming an American is the right to not be afraid to go out and vote.

Nasir stated that she feels somewhat "daunted" by the fact that it appears that a person can't move about in their own country without being accused of a crime.

A copy of the protest document signed by Kober and naming Nasir among five other individuals as having voted twice in the November 2016 General Election is attached and made a part hereto.//

2016-166/Active

NCSBE Report of Investigation

Case Number: 2016-166

Investigator(s): Joan Fleming/Cheryl Travers

Document: Interview Report - Robert Chadwick on 4/4/2017;

County(s):

Multiple

Subject(s):

November 2016 General Election Protests;

Voter Fraud Allegations/Possible False Statements to Affect Election Outcome -

11/08/2016 General Election:

On 4/4/2017, Robert Lee Chadwick, Jr., was interviewed by NCSBE Investigators Joan Fleming and Cheryl Travers. After being advised of the identity of the interviewing officials, and the purpose of the interview, Chadwick provided the following information:

Chadwick is a graduate of Elizabeth City State University with a degree in Business and Marketing. He is employed as a Family Care Manager at the Family Resource Center on Barrett Drive in Raleigh, NC. His date of birth (DOB) is

Chadwick stated he initially learned that he was named in an election protest when he was contacted and informed of the protest by Bob Hall of Democracy North Carolina. He advised that he does not know and has never met the "author" of the protest, Charles Hellwig, and likewise does not know any of the other twenty-one individuals accused in the protest by Hellwig of double-voting in North Carolina and in another state.

Chadwick stated that he grew up in the state of Virginia and once resided at which is his parents' address, and where his father, Robert Lee Chadwick, Sr. is still currently residing. He noted that his father is an active voter, having served as a poll official, and that his father did vote in the 2016 General Election in Virginia.

Chadwick has moved several times since becoming an adult and leaving his parents' home, and he has since been married and has three children. Chadwick registered to vote in Wake County, NC on 4/19/2016 after previously being registered in Hertford County, NC. He voted early "One-Stop" in Wake County, NC for the November 8, 2016 General Election.

Chadwick denied that he voted in Virginia or any other state in the November 8, 2016 General Election and stated that he did not know why someone would accuse him of having done so. He stated he is "disappointed" to learn that someone has accused him of an election crime and questioned why Hellwig would attach Chadwick's name to a legal document making that accusation when Hellwig did not know if the accusation was true. Chadwick stated that he never thought he would be a victim of a false accusation and he stated he feels "violated." He believes it is likely that his name was confused with his father's name since they are Chadwick "Sr." and "Jr.", and that their voting history was comingled making it appear that Chadwick Jr. had voted in both states. He advised that, to his knowledge,

he was not registered in Virginia or Maryland at the time of the election and therefore could not have voted in either of those states.

Chadwick stated that it bothers him when he thinks about being falsely accused of double-voting. He believes that the protest was possibly part of an effort to help former Governor McCrory because the governor's race was close at the time the protest was filed. However, he questioned why anybody would make such accusations without evidence to back them up.

Chadwick stated that part of his present job is to counsel people who have lost their right to vote due to a felony conviction. Therefore, this kind of an accusation could affect the credibility and reputation he has established as a role model for fathers who have made mistakes, including criminal violations.

Chadwick stated that in a perfect world he would like to receive an in-person apology from Hellwig for falsely accusing him of voter fraud. However, he stated that regardless of whether that happens, he (Chadwick) knows he has not done anything wrong or illegal and has trust that "God knows" he has done nothing wrong.

A copy of the protest document signed by Hellwig and naming Chadwick among twenty-one other individuals as having voted twice in the November 2015 general Election is attached and made a part hereto.//

2016-166/Active